ONE HUNDRED SEVENTEENTH CONGRESS

Congress of the United States

獨可認定 of Representatives COMMITTEE ON ENERGY AND COMMERCE

2125 RAYBURN HOUSE OFFICE BUILDING WASHINGTON, DC 20515-6115 Majority (202) 225-2927 Minority (202) 225-3641

July 12, 2022

The Honorable Michael S. Regan Administrator U.S. Environmental Protection Agency 1200 Pennsylvania Avenue, N.W. Washington, D.C. 20460

Dear Administrator Regan:

As you should know, the North American Electric Reliability Corporation (NERC) <u>warned in May</u>, that more than half the nation is at elevated risk of forced blackouts this summer—including large regions extending from Louisiana to Wisconsin with increased risks during <u>normal</u> summer conditions.

Because of this and other troubling assessments, we wrote the Federal Energy Regulatory Commission (FERC) and the Department of Energy (DOE)² for information to help us assess what federal authorities are doing to prepare for and to alleviate the immediate risks to reliability this summer. We also sought information to assess what is being done to address the broader and growing trend of increasing reliability risks across the nation's electricity systems.

We believe the Environmental Protection Agency (EPA) should also account for its plans and actions to help us assess factors behind both the immediate and the long-term risks to electric reliability across the nation.

In recent months, you announced a suite of EPA actions to target fossil fueled electric generating units, an "EGU Strategy," to drive the Biden Administrations climate agenda.³ This "EGU strategy" includes many major new regulations now under development or proposed – the

^{1 &}quot;2022 Summer Reliability Assessment," NERC, May 2022.

² See <u>Letters</u> to Secretary Jennifer Granholm, Department of Energy and to Chairman Richard Glick and Commissioners, Federal Energy Regulatory Commission, June 6, 2022.

³ EPA Administrator Michael Regan <u>remarks</u> to CERA week, March 10, 2022. See, also, <u>June 30,2022</u>, <u>interview</u> with Administrator Regan on PBS's Newshour and <u>Letter</u> to Administrator Regan from Senate Environment and Public Works Ranking Member Shelley Moore Capito, February 8, 2022.

Letter to The Honorable Michael S. Regan Page 2

Interstate Transport Rule, Regional Haze, Risk and Technology Review for the Mercury Air Toxics Rule, a new set of greenhouse gas performance standards, effluent limitations, and a legacy coal combustion residue rule—all of which directly affect power plants that are essential for reliable electric operations.

We are concerned that EPA actions threaten to accelerate fossil generation retirements, at the very same time electric system operators report growing shortfalls in such baseload capacity will accelerate blackout risks.

For example, EPA is deciding whether to revoke permits for upwards of 50 gigawatts of coal-fired generation to meet requirements of its coal combustion residual rule. And its proposed Federal Implementation Plan to address the interstate transport of ozone may place new economic burdens on 40 gigawatts of coal-fired generation. For perspective, the loss of just over 3 gigawatts of coal-fired generation was a key factor to the current summer reliability crisis in parts of the nation served by the Midcontinent Independent System Operator (MISO).⁴ The loss of just a few more coal-fired units in that region would push electric resource adequacy for certain areas "into dangerous territory," MISO noted in comments to EPA in February this year.⁵

At a time of widespread economic and inflationary burdens, the last thing this nation needs are agency actions that press headlong into creating a major electricity crisis. Therefore, it is important that Congress have information from EPA to assess how the Agency's actions are affecting electric grid reliability.

Please respond to the following by July 26, 2022:

- 1. Describe what specific actions you are taking or are prepared to take to address energy or electricity emergencies this summer in the bulk power system.
- 2. List all waivers or other emergency actions you are considering or have taken over the past two years in connection with electricity reliability.
- 3. List all regulatory actions you are considering or have taken over the past two years to alleviate electricity reliability risks.
- 4. List and provide a description of all interactions with the Department of Energy concerning potential and proposed rulemakings and enforcement activity that may affect the reliable delivery of electricity, including, but not limited to:
 - a. The recent enforcement actions involving the disposal of coal combustion residuals from electric utilities rule,
 - b. The Federal Implementation Plan for the Interstate Transport Rule to address the 2015 Ozone National Ambient Air Quality Standards (Transport Rule FIP),
 - c. Regional Haze rule,

⁴ Op cit., NERC, May 2022

⁵ See Comments of the Midcontinent Independent System Operator in response to EPA request for comment in Regulations.gov, Docket ID number <u>EPA-HQ-OLEM-2021-0588</u>.

- d. Risk and Technology Review for the Mercury Air Toxics Rule,
- e. Greenhouse gas performance standards, and
- f. Steam Electric Effluent Limitations Guidelines.
- 5. List and provide a description of all interactions with the Federal Energy Regulatory Commission concerning potential and proposed rulemakings and enforcement activity that may affect the reliable delivery of electricity, including, but not limited to:
 - a. The recent enforcement actions involving the disposal of coal combustion residuals from electric utilities rule,
 - b. The Federal Implementation Plan for the Interstate Transport Rule to address the 2015 Ozone National Ambient Air Quality Standards (Transport Rule FIP),
 - c. Regional Haze rule,
 - d. Risk and Technology Review for the Mercury Air Toxics Rule,
 - e. Greenhouse gas performance standards, and
 - f. Steam Electric Effluent Limitations Guidelines.
- 6. List and provide a description of all interactions with states concerning potential and proposed rulemakings and enforcement activity that may affect the reliable delivery of electricity, including, but not limited to:
 - a. The recent enforcement actions involving the disposal of coal combustion residuals from electric utilities rule,
 - b. The Federal Implementation Plan for the Interstate Transport Rule to address the 2015 Ozone National Ambient Air Quality Standards (Transport Rule FIP),
 - c. Regional Haze rule,
 - d. Risk and Technology Review for the Mercury Air Toxics Rule,
 - e. Greenhouse gas performance standards, and
 - f. Steam Electric Effluent Limitations Guidelines.
- 7. List and provide a description of all interactions with the Independent System Operators, and states concerning potential and proposed rulemakings and enforcement activity that may affect the reliable delivery of electricity, including, but not limited to:
 - a. The recent enforcement actions involving the disposal of coal combustion residuals from electric utilities rule,
 - b. The Federal Implementation Plan for the Interstate Transport Rule to address the 2015 Ozone National Ambient Air Quality Standards (Transport Rule FIP),
 - c. Regional Haze rule,
 - d. Risk and Technology Review for the Mercury Air Toxics Rule,
 - e. Greenhouse gas performance standards, and
 - f. Steam Electric Effluent Limitations Guidelines.
- 8. In developing its reported "EGU Strategy" to "marry a range of authorities" to regulate the power sector, has EPA evaluated the cumulative impact of the strategy in accelerating plant closures? If so, please provide us with these assessments.

- 9. How will the June 30 Supreme Court decision in West Virginia v. Environmental Protection Agency affect your "EGU Strategy" to regulate sources in the power sector?
- 10. Regarding the proposed Transport Rule FIP, what specific statutory provisions authorize EPA to impose a federal plan that effectively overrides the electric power sector planning authorities in 26 states?
 - a. What statutory provisions authorize EPA to take actions that directly affect the reliable delivery of power in the bulk power system?
 - b. How does EPA reconcile its authority with the authorities relating to electricity reliability, under the Federal Power Act, provided to the Federal Energy Regulatory Commission?
 - c. Was the decision to impose a Transport Rule FIP instead of approving individual state implementation plans related to the Administration's EGU Strategy to reduce carbon dioxide emissions in electric power sector?
- 11. What is the estimated capacity range from existing coal and gas plants that could retire under the additional weight of these new requirements?
 - a. Have you discussed with the relevant federal authorities how such retirements would be offset?

We look forward to your prompt response to this request. Please contact Minority Committee staff with questions concerning this request at (202) 225-3641.

Sincerely,

Cathy McMorris Rodgers

Republican Leader

House Energy and Commerce Committee

David B. McKinley

Ranking Member

Subcommittee on Environment & Climate

Change

H. Morgan Griffith Ranking Member

Subcommittee on Oversight and

Investigations

Fred Upton

Member of Congress

Steve Scalise Member of Congress Member of Congress Robert E. Latta Brett Guthrie Member of Congress Member of Congress Adam Kinzinger Gus M. Bilirakis Member of Congress Member of Congress Bill Johnson Billy Long Bill Johnson Member of Congress Member of Congress Larry Bucshon Markwayne Mullin Member of Congress Member of Congress Tim Walberg Richard Hudson Member of Congress Member of Congress Earl L. "Buddy" Carter Jeff Duncan

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Gary MPalmer Member of Congress

Member of Congress

John R. Curtis Member of Congress

Debbie Lesko Member of Congress

Greg Pence

Member of Congress

John Joyce

Member of Congress

Kelly Armstrong

Member of Congress

Congress of the United States Washington, DC 20515

December 5, 2020

The Honorable Andrew Wheeler Administrator U.S. Environmental Protection Agency 1200 Pennsylvania Avenue, N.W. Washington, D.C. 20460

Dear Administrator Wheeler,

We write in support of the Environmental Protection Agency's proposed rule to retain existing air quality standards for fine particulate matter, also known as PM_{2.5}.

At a time when economic stimulus and public services are critical to the nation's recovery, retaining these standards, which were set by the Obama Administration, will allow air quality improvements to continue without causing local communities across the country to suffer unnecessary job loss and further erosion of tax revenue.

EPA, states, and the regulated community have successfully worked together to slash $PM_{2.5}$ emissions, resulting in a 43% improvement in related air quality since 2000. In the last three years alone, $PM_{2.5}$ emissions have dropped 7%. These ongoing improvements will continue under existing programs even without changes to $PM_{2.5}$ standards.

Against this backdrop, a clear majority of the Clean Air Scientific Advisory Committee voted to retain the Obama Administration's existing PM_{2.5} standards. That majority found substantial uncertainties with studies, many of which failed to account for air quality improvements, claiming to show health effects below the Obama Administration's PM_{2.5} standards.

Our constituents are returning to the workforce, many from recent unemployment. The local communities that we represent must overcome depressed business activity and depleted tax bases. Americans cannot now afford the consequence of more stringent PM_{2.5} standards that experts conclude do not clearly improve public health – especially when PM_{2.5} emissions are already dropping under existing programs. The resulting new regulatory burdens would undermine community business investment, curtain employment opportunities, and reduce tax revenue supporting local schools as well as first and frontline responders—effectively hamstring efforts to overcome tough economic times. These impacts could reverberate to every part of the country.

Areas that do not meet new air standards face immediate, substantial, and long-lasting economic consequences. Existing facilities could be required to install new, expensive controls. New businesses seeking to build or upgrade operations must install the most effective PM_{2.5} emissions controls, *without consideration of cost*, and are subject to enhanced EPA oversight. In

The Honorable Andrew Wheeler December 5, 2020 Page 2

addition, businesses must offset new $PM_{2.5}$ emissions by paying for emissions reductions at existing facilities. In the absence of affordable offsets, new projects cannot proceed. Local infrastructure is also impacted as federal funds for transportation projects are withheld unless those projects can be shown not to increase $PM_{2.5}$ emissions. Restrictions do not end once these areas achieve $PM_{2.5}$ standards. Instead, they must petition EPA to be re-designated to attainment by submitting a complex maintenance plan listing numerous mandatory and long-lasting measures.

The consequences of lowering PM_{2.5} standards extend even to areas *meeting* those standards. New projects and major expansions in these areas require permits demonstrating that they will not exceed the standards. Businesses trying to make such demonstrations are already pinched between PM_{2.5} standards set near levels of emissions that naturally occur or are transported from other countries, and EPA modeling *designed* to over predict PM_{2.5} concentrations. Lowering PM_{2.5} standards further would eliminate the little margin left for businesses to obtain the necessary approvals for new, state-of-the-art projects. This could force companies operating in areas meeting PM_{2.5} standards to install controls *even more costly* than those required in areas that *fail them* – or to simply not build at all.

We therefore commend EPA for proposing to retain the Obama Administration's $PM_{2.5}$ standards. This proposal supports local communities now fighting to get back on their feet, while continuing to drive to lower PM2.5 levels under existing programs. It will also provide EPA time to assess new or uncertain science regarding $PM_{2.5}$ in the next review cycle, which will begin immediately after this proposal is finalized. We therefore encourage EPA to move quickly towards a final rule.

Sincerely,

John Shimkus

Member of Congress

Greg Walder

Member of congress

Cathy McMorris Rodgers

Member of Congress

Robert E. Latta

The Honorable Andrew Wheeler December 5, 2020 Page 3

Member of Congress

David B. McKinley, P.E. Member of Congress

Billy Long Member of Congress

Bill Flores Member of Congress

Earl L. "Buddy" Carter Member of Congress

Greg Gianforte Member of Congress

Member of Congress

H. Morgan Griffith Member of Congress

Member of Congress

Markwayne Mullin Member of Congress

Member of Congress

The Honorable Andrew Wheeler December 5, 2020 Page 4

Alex X. Mooney

Member of Congress

Randy K. Weber Member of Congress

Troy Balderson Member of Congress

Dan Crenshaw Member of Congress

Steve Shabot Member of Congress

Kelly Armstrong Member of Congress Glenn Grothman
Member of Congress

Carol O. 7
Carol D. Miller
Member of Congress

Dan Newhouse Member of Congress

Thomas Tiffany
Member of Congress

Doug Lamborn Member of Congress



FAX

U.S. Congressman Markwayne Mullin

Representing Oklahoma's Second District 104 South Muskogee • Claremore, OK 74017 Phone: 918-341-9336 • Fax: 918-342-4806 mary.bower@mail.house.gov

DATE:	06/27/13	PAGES (excluding cover): 4			
TO: Environmental Protection Agency, Arvin Ganesan, Associate Administrator of Congressional Relations, 1200 Pennsylvania Avenue, NW, Room 3426ARN, Washington, DC 20460					
FAX:	202-501-1519	PHONE: 202-564-5200			
FROM	1:				
Cc	ongressman Mullin	Peggy McGeheeOther			
_X_M	Iary Bower	Debbie Dooley			
RE:	Don Goforth (P.U.I. A.) Modified Lead and Coppe	Social Security #: (b) (6)			
COMMENTS:					
Attached is privacy release and pertinent case information for the constituent.					
Please look into the situation and advise our office of the status of the case.					
Thank you in advance for your assistance in this matter.					
Mary	Bower				



FAX

U.S. Congressman Markwayne Mullin

Representing Oklahoma's Second District 104 South Muskogee • Claremore, OK 74017 Phone: 918-341-9336 • Fax: 918-342-4806

mary.bower@mail.house.gov

DATE:	06/27/13	PAGES (excluding cover): 9		
TO: Environmental Protection Agency, Arvin Ganesan, Associate Administrator of Congressional Relations, 1200 Pennsylvania Avenue, NW, Room 3426ARN, Washington, DC 20460				
FAX:	202-501-1519	PHONE: 202-564-5200		
FROM	1:			
Cc	ongressman Mullin	Peggy McGeheeOther		
_X_M	ary Bower	Debbie Dooley		
RE:	Don Goforth (P.U.I. A.) Modified Lead and Copp	Social Security #: (b) (6)		
сом	MENTS:			
Attached is privacy release and pertinent case information for the constituent.				
Please	look into the situation and a	dvise our office of the status of the case.		
Thank you in advance for your assistance in this matter.				
Mary :	Bower			





Congressman Markwayne Mullin Second District of Oklahoma Privacy Release and Information Form

PVIA

In keeping with the restrictions of the Privacy Act of 1974, I hereby authorize Congressman Multin and/or his representative to request information from agencies or departments on my behalf. This release does not constitute a power of attorney.

Please complete the following:				
I am having a problem or difficulty with: EPA	LOPEA			
Name: DON GOTONTH	(P.U.I.A.)			
Address: 25768 US Hwy	270			
,	74966			
	Work 918-655. 7500			
	_ Email PUTA 12 @ windstroom. Ne			
Date of Birth (b) (6)(b) (6)(b) (6) Social 5	Security Number_(b) (6)(b) (6)			
Explanation of Problems (Attach any relevant information):				
EPA WILL NOT APPRO	ove ODEQ' madified			
	Lead + copper Rule.			
Have you contacted another Congressional or Senate office	? ND If yes, whom			
If release of information on your case to another party or your attorney is authorized, please specify:				
	nan Müllin, and authorize Congressman Mullin und his staff			
to receive any information that they may nead in order to				
Signature Om DJA	Date (- 21-13			
If signed with a mark: Witnessed by:	Date			
Please provide more information on the next page Post-it* brand fax transmittal memo 7671 # of pages > /				
	Many Bower From Don Goronth			
	Co. PJIA Dept. Phone #			
	Fav #			

POTEAU VALLEY IMPROVEMENT AUTHORITY

Phone (918) 655-7500

25768 US HIGHWAY 270 WISTER, OKLAHOMA 74966-9124 Fax (918) 855-7502

April 18, 2013

Sheri McGuire, Coordinator Lead and Copper Compliance Water Quality Division 707 N. Robinson P O Box 1677 Oklahoma City, Okla, 73101-1677



Dear Shori.

Thanks for meeting with us Tuesday. Most of our questions were auswered. The Poteau Valley Improvement Authority (PVIA) is not well understood by most regulators, State or Federal. At present PVIA has 15 members, soon to be 16 with the addition of The Town of Keota (Haskell County). PVIA is governed by a board made up of board members appointed by each purchasing member,

Consecutive system really does not fit; this is why PVIA #1020104 does not have sample sites that would be viable under the lead and copper rule. Possibly a better description would be water

When this was explained to the EPA in the early 90's, they understood that testing as a group made sense. I know that people at the EPA and DEQ have changed. But the logic has not, Speaking for The Authority and its members, we want to comply with the Lead and Copper rule, and thought we had, but making us start over seems to be more about punishment than getting a program back on track.

I know EPA Region 6 and The ODEQ have some discretion in how this rule is administered, a review of the past correspondence will testify to that.

We ask that we he allowed to start over as a group with 60 sites, split up between the members based on the percent of the 40,000 population that each member serves, or allow us to restart testing with the reduced sampling frequency that we have earned over the 10 years we were testing, up until the time we were told, we no longer had to test. If you are not comfortable pleading our case to EPA please provide mo with a contact at EPA and we will go to Dallas.

ec; Tim Ward, ODEQ

Brian Schwegal, ODEO

An Equal Opportunity Employer



STEVEN A. THOMPSON Executivo Director

MARY FALLIN Governor

May 20, 2013

Mr. Don Goforth, Manager Poteau Valley Improvement Authority 25768 US Hwy 270 Wister, OK 74966-9124

Re: Lead and Copper Rule Compliance Monitoring Requirements

Dear Mr. Goforth:

The Oklahoma Department of Environmental Quality (DEQ) received your letter dated April 18, 2013 requesting that DEQ reconsider certain monitoring requirements for both the Poteau Valley Improvement Authority (PVIA) and the lifteen (15) Consecutive Public Water Supply Systems that purchase water from PVIA. Specifically, you asked for consideration on the following two items associated with the Lead and Copper Rule (L&CR) compliance monitoring:

- PVIA and those consecutive systems receiving water from PVIA be allowed to begin monitoring as a group, with sixty (60) monitoring sites divided among members; or
- PVIA be allowed to restart testing at a reduced sampling frequency with justification based upon historical monitoring offorts.

Prior to 2007, DEQ had implemented a modified monitoring strategy, pursuant to 40 CFR § 141.29, for consecutive systems required to comply with the rules for total coliform and lead and copper, and Stage 1 of the Disinfection By-Products Rule (DBP). While initially it appeared that DEQ would be able to continue following its modified monitoring strategy, concerns were raised by EPA that resulted in a re-evaluation of that strategy. During both the 2007 and 2008 Public Water System Supervision (PWSS) Program End-of-Year Review, when EPA was preparing to begin implementing three PWS rules that DEQ did not implement due to funding limitations, EPA questioned DEQ's use of its modified monitoring strategy and requested that DEQ provide information on systems impacted by the modified strategy.

In an attempt to address EPA's concerns, DEQ agreed to work with EPA to update and submit for approval a Standard Operating Procedure (SOP) detailing how DEQ's modified monitoring strategy for consecutive systems would be implemented. DEQ made soveral attempts at revising the SOP to satisfy EPA, but failed to obtain approval from EPA. In letters dated October 14, 2008 and March 5, 2009, EPA indicated they could not approve DEQ's proposed modified monitoring strategy.

Based on EPA's stance, the decision was made to move forward with implementation of federal monitoring requirements for consecutive systems. During the 2009 PWSS End-of-Year Program Review, DEQ informed EPA of that decision and that DEQ would begin full implementation of federal monitoring requirements for consecutive systems. It was noted in EPA's final 2009 PWSS Program End-of-Year Review Report that DEQ would revoke its existing SOP for modifying consecutive system monitoring and instead require all systems to comply with total colliform and lead and copper monitoring requirements.

In light of the burden the impact of this decision would place on not only DEQ, but also consecutive systems, DEQ and EPA agreed to a phased approach of implementation. Under this phased approach, DEQ set a goal of implementing total coliform monitoring for consecutive systems by the end of 2010, and lead and copper monitoring by the end of 2011.

In order to ensure that PVIA was aware of its monitoring responsibilities for lead and copper, DEQ notified PVIA, in a letter dated March 22, 2010, that as a wholesale system it was required to begin monitoring for lead and copper in its distribution system. In a follow up letter, dated June 8, 2010, PVIA was notified again that it needed to update its current monitoring plan for lead and copper monitoring; inactivate its monitoring sites located in consecutive system distribution systems; and establish new monitoring sites within its own distribution system.

On behalf of the consecutive systems in Oklahoma, DEQ was able to delay implementation of consecutive system that need to monitor for lead and copper beyond the original goal of 2011 to 2013. However, in order to meet the 2013 agreed-to goal for implementation, DEQ began notifying consecutive systems to begin monitoring within their individual distribution systems. In particular, on March 14, 2013, DEQ sent letters to consecutive systems that purchase water from PVIA to notify them to begin monitoring their individual system for lead and copper.

Since the discussion with EPA concerning the use of a modified monitoring strategy had occurred sometime ago and because there have been changes in the leadership in EPA Region VI, DEQ contacted EPA Region VI to determine its current stance on the monitoring of consecutive systems. EPA's response to this inquiry, dated May 9, 2013, indicated its opinion has not changed. The following is an excerpt from that EPA communication:

"As EPA Region 6 began implementing the Stage 2 Disinfection By-Products Rule in Oklahoma, my staff learned that a number of public water systems were not collecting necessary samples... with several drinking water regulations, including the Total Coliform Rule, Disinfection By-Products Rules, and the Lead and Copper Rule. In an August 7, 2008 letter from Miguel Flores to Jon Craig, EPA Region 6 notified ODEQ that EPA did not have record of any approved plan for ODEQ to consider consecutive systems as a single system for monitoring purposes for any regulation. On three occasions, ODEQ submitted consecutive system monitoring standard operating plans (SOPs) for EPA approval, and EPA rejected each of these SOPs for not providing sufficient monitoring of all consecutive water systems' water quality.

While consideration of consecutive systems as a single system for monitoring purposes may offer some reduced monitoring cost savings, it is important to ensure sufficient monitoring of the combined distribution system is protective of human health for all consumers...It is incumbent upon EPA to agree with and approve of each State's consecutive system monitoring SOP before such regulatory monitoring requirements become effective...

Until an appropriate consecutive system monitoring plan is submitted to and approved by EPA, ODEQ must require each public water system in Oklahoma to comply with applicable monitoring and compliance requirements, as promulgated by EPA and adopted by ODEO."

In summary, DEQ cannot accommodate PVIA's request to split up sample sites among their consecutive system members or conduct monitoring at a reduced frequency. The fead and copper rule does allow PWSs to be placed on reduced (riennial monitoring after two consecutive six-month periods if:

- the 90th percentile results for lead are < 0.005 mg/L; and
 the 90th percentile results for copper are ≤ 0.65 mg/L.

My Water Quality Division staff is available to provide assistance to PVIA and their consecutive system members in developing appropriate monitoring plans to ensure compliance with federal monitoring requirements. If you have any additional questions or need additional information, please contact me at 405-702-7161 or Shellie Chard-McClary, Water Quality Division Director at 405-702-8174.

Sincerely,

Steven A. Thompson

Je I. Tomore

Executive Director



O K I A H O M A DEPARTMENT OF ENVIRONMENTAL QUALITY for a clean, utractive, prosperous Oklahoma

SHERI MCGUIRE
ENVIRONMENTAL PROGRAMS SPECIALIST
WATER QUALITY DIVISION
FWS COMPLIANCE TRACKING

405.702.8115 ehrmi.mcguire@deq.ok.gov FAX: 405.702.8101

707 N. ROBINSON, P.O. BOX 1677 OKLAHOMA CITY, OK 73101-1677

How to find information about the Lead and Copper Rule at the DEQ website:

Step 1:

Go to the website www.deq.state.ok.us.

Step 2:

Select "DEQ search".

Step 3:

Search "DEQ website" for "Lead and Copper Rule".

Step 4:

Select "Tap Water Lead and Copper Monitoring"

Step 5:

The following information is available on "The Lead and Copper Rule" page:

- · Frequently asked questions.
- * * Request Form for Tap Water Lead/Copper Sample Sites"
- Tap Water Load and Copper Sampling Instructions...
- We Template letter to notify consumers at sample sites.
- × * Certification of Lead Results Notification
 - Appendices (only applicable to systems that have had a 90th % action level exceedance).

BeTTy

PUIA is in compliance will The head + copper Rule. We STATTED TESTING IN 2011. PEQ/EPA INSISTED PULLA TEST For Lead + corper Becouse we have A Public water sapely number. IT didn't seem To Matter That POIA has NO Single Family homes on Lead r copper in our distrubution system. IN 1992 PULA WAS Exempted for That and Because The Funchese water systems were soing To TEST ANYWOY. IN 2011 I STruck A Deal with DIR, They would ALLOW me To Claim A POPULATION OF 12 The number of Employees That work AT The PLANT WITH That Potulation we are only Required To have Five SiTes They Are: The MENS RESTroom The Women's Essinoum The LAB SINK The Breakfroom SINK The Restroom IN The Shop This is kind OF STUPED BUT IS JARMS TO have Satisfied PEQ, I don'T Know if EPA IS Aware of This Arrangement. For our Punchase mater Systems This will

Mean some money But A areat deal OF WORK FINDING 300+ households That Fit The Site Requirments and will TAKE The Sample First Thing in The monujus. The AIM OF This Rule is To Make Sure. The water source will NOT corrode household Plumbing, I IF The water Provided cannot be made Non-corrosive Then The Flumbons MUST Be Replaced WITH Phumbing That CONTAINS NO Lead on coffer AT The water Providers Cost. our corrosion control Program has worked well IN The POST I don'T Think we Will have A Problem in The Future. I don'T know why ETA WON'T AFPROVE DEQS modified monitoring strategy it worked well in The Past and Squeed ALOT OF Time and Money. XI THINK STEVE Thom FUNN AT DER Made The EFFORT ON our Behalf. Maybe EPA IS JUST BEING EPA?

LET ME KODOW

Dc-



Congress of the United States Washington. **BC** 20515

July 24, 2013

Ms. Gina McCarthy Administrator Environmental Protection Agency 1200 Pennsylvania Avenue, N.W. Washington, DC 20460

Re: EPA Proposed Rule: Revisions to Existing Requirements and New Requirements for Secondary Containment and Operator Training (EPA-HQ-UST-2011-0301)

Dear Ms. McCarthy:

We are writing to express our concern about the U.S. Environmental Protection Agency's (EPA) proposed rule amending 40 CFR Parts 280 and 281; Revisions to Existing Requirements and New Requirements for Secondary Containment and Operator Training (EPA-HQ-UST-2011-0301), published in the Federal Register on November 18, 2011. In light of the regulatory cost impact of the proposed rule on small businesses, we respectfully request that the EPA withdraw the proposed rule and form a Small Business Advocacy Review (SBAR) panel.

After doing its own evaluation of the economic impacts of the proposed rule, the EPA estimated a compliance cost of \$900 which they conclude would not constitute a significant economic impact on small businesses. However, according to industry experts, a more realistic estimate of the cost of compliance is \$6,960 annually which could be particularly burdensome, especially since much of the convenience store industry is comprised of small businesses. Many of those businesses who were interviewed by EPA as part of the cost evaluation tell us that the scope of evaluation was not adequate to determine the full impact of the proposed rule.

Also, the Small Business Administration's (SBA) Office of Advocacy was not contacted as contemplated by the Regulatory Flexibility Act, and EPA has not had the benefit of a Small Business Regulatory Enforcement Fairness Act (SBREFA) panel process to evaluate the costs and benefits of the proposed rule. We believe EPA would benefit from the panel and the expertise of the industry in assessing costs and perhaps finding a more effective and economical tank release and monitoring program.

Ultimately, the discrepancy between the agency cost estimates and the industry estimates cause us concern and warrants further evaluation. We respectfully suggest that the proper remedy would be to withdraw the proposed rule and form a Small Business Advocacy Review (SBAR) panel to address the issues raised.

Thank you for your consideration. We look forward to hearing from you.

Sincerely,

Gregg Harper Member of Congress

John Barrow

Laisha Blackbrun Marsha Blackburn Leonard Lance Member of Congress Member of Congress Mike Simpson Member of Congress Member of Congress Rick Crawford Member of Congress Member of Congress Steve Womack Gus Bilirakis Member of Congress Member of Congress Tel /euf Lee Terry Renee Ellmers Member of congress Member of Congress Tom Cotton Mark Amodei Member of Congress Member of Congress rom Tom Latham Alan Nunnelee Member of Congress Member of Congress assidy Adam Kinzinger Bill Cassidy Member of Congress Member of Congress like Plampeo Ton Steve Daines Member of Congress Member of Congress Robert E. Latta Member of Congress Member of Congress

Paul a. Losan Paul A. Gosar Jason Chaffetz Member of Congress Member of Congress Rob Bishop Member of Congress Member of Congress Jeff Duhcan Member of Congress Member of Congress arie P Run David P. Roe, M.D. Cory Gardner Member of Congress Member of Congress Cathy McMorris Rodger Brett Guthrie Member of Congress Member of Congress Robert B. Aderholt Bill Johnson Member of Congress Member of Congress Bill Huizenga Mo Brooks Member of Congress Member of Congress Virginia docc Virgina Foxx oreg W Member of Congress Member of Congress Mike Rogers (AL) Daniel Webster Member of Congress Member of Congress Adrian Smith hn Wagner Member of Congress Member of Congress Mike Rogers (MI) Member of Congress Member of Congress Rodney Davis Member of Congress Markwayne Mullin Member of Congress Todd Rokita Member of Congress Member of Congress Member of Congress

Member of Congress Vicky Hartzley Member of Congress Member of Congress Member of Congress Member of Congress Scott DesJarlais Member of Congress Diane Black Member of Congress m Matheson Member of Congress

Gene Green

CC:

Ms. Carolyn Hoskinson

Director

Office of Underground Storage Tanks

Congress of the United States Washington, DC 20515

August 2, 2013

The Honorable Gina McCarthy Administrator U.S. Department of Environmental Protection 1200 Pennsylvania Avenue, NW Washington, DC 20460

Dear Administrator McCarthy:

We are writing to call your attention to a serious regulatory issue that is causing higher gasoline and diesel prices during the summer driving season at a time when higher gas prices could slow economic recovery in the United States. Specifically, uncertainty about the obligations associated with the Renewable Fuel Standard (RFS) has led to a spike in prices of Renewable Identification Number (RIN) credits, placing upward pressure on fuel prices. We are committed to working in a bipartisan manner to explore a longer term legislative solution to the issue; however, we believe the severity of this problem requires your immediate attention and action in order to alleviate uncertainty and reduce pressure on gas prices.

The primary cause of the spike in RIN prices is well known by regulators and the market. There is a practical limit - known as the "E10 blend wall" - on the amount of renewable fuels that can be safely and effectively blended into gasoline sold in the United States to generate the RIN credits required for annual compliance. Because of uncertainty about whether the E10 blend wall will be reached in late 2013 or early 2014, market participants are concerned there may not be enough RINs to meet the mandate, sending their price skyrocketing and resulting in an RFS program that is no longer functioning.

While we work together to explore a longer-term legislative solution, we believe it is imperative that the EPA act now through its 2013 RFS rulemaking process to bring rationality to the RIN market and lower costs. More specifically, the EPA should send a clear signal that it will exercise its waiver authority under the RFS to ensure that blending requirements are in line with market realities. The market for RINS has spiked because of uncertainty over the future of the program. Only through a clear signal from the EPA will the market for RINS function normally again.

Sincerely,

Jim Matheson

Member of Congress

Pat Meehan

Member of Congress

Peter Welch Member of Congress

Leonard Lance Member of Congress

Member of Congress

David Scott Member of Congress

Renee Ellmers Member of Congress

e Mullin Member of Congress

GRAVES

Tom Graves Member of Congress

Austin Scott Member of Congress

Jim Costa Member of Congress

Jack Kingston Member of Congress

Charles Dent Member of Congress

Bill Owens Member of Congress

Bob Goodlatte Member of Congress

Member of Congress Member of Congress Tom Cole Member of Congress Member of Congress Chris Stewart Lin Westmoreland Member of Congress Member of Congress Jason Chaffetz Member of Congress Rob Bishop Sanford Bishop Member of Congress Member of Congress Doug Collins Steve Chabot Member of Congress Member of Congress

Pete Olson

Member of Congress

Mike Rogers

Mike Me Sontay

Mike McIntyre Member of Congress

Dennis Ross

Member of Congress

James Lankford Member of Congress

DAVID B. McKINLEY, P.E.

1st District, West Virginia

412 CANNON HOUSE OFFICE BUILDING WASHINGTON, DC 20515 TEL. (202) 225-4172 FAX. (202) 225-7564

www.mckinley.house.gav

CO-CHAIR. CONGRESSIONAL ARTHRITIS CAUCUS

CO-CHAIR. CONGRESSIONAL YOUTH CHALLENGE CAUCUS

CO-CHAIR, HIGH PERFORMANCE BUILDINGS CAUCUS

October 23, 2013

Congress of the United States House of Representatives

COMMITTEE ON **ENERGY AND COMMERCE**

> Suscommittee on **ENERGY AND POWER**

SUBCOMMITTEE ON COMMERCE, MANUFACTURING AND TRACE

SUBCOMMITTEE ON ENVIRONMENT AND THE ECONOMY

The Honorable Gina McCarthy Administrator U.S. Environmental Protection Agency 1200 Pennsylvania Avenue, N.W. Washington, D.C. 20460

Dear Administrator McCarthy:

We are troubled by the EPA's announcement on September 30, 2013 entitled "EPA to Hold Public Listening Sessions on Reducing Carbon Pollution from Existing Power Plants." While hosting eleven public listening sessions held across the country in order to solicit feedback from the public is important, your plan leaves out those most impacted by the regulation by seeking input only in major urban areas.

While the proposed regulations on new and existing power plants may not be burdensome to cities such as Boston, San Francisco, Washington, D.C., or New York City, it will have significant impacts on businesses and families in rural areas. Already, one-fifth of our nation's coal plants, 204 facilities across 25 states, closed between 2009 and 2012. These closed and existing plants are not located in areas you are holding these listening sessions. In all fairness, residents and businesses in rural areas deserve to be heard just as much.

The EPA must hear from Americans on Main Street in rural America not downtown San Francisco or Washington, D.C. If the EPA really wants to learn the impact this regulation will have on mayors, store clerks, senior citizens, blue-collar Americans and others, you must hold these sessions in locations that produce coal and coal-fired electricity. We highly recommend that you and your colleagues take a step out of the Beltway and visit the places that make America great; the places your regulations continue to devastate by shuttering plants and killing jobs. These people need your help and want their views to be heard. Please add rural American communities in which coal and gas are a part of their economies to your locations for listening sessions.

Thank you for your attention to this matter, and we look forward to your thoughts.

Sincerely,

David B. McKinley, P.E.

Member of Congress

relle More Capito

Congress of the United States Washington, DC 20515

Lynn Westmoreland Member of Congress

Marsha Blackburn
Member of Congress

Robert Aderholt

Member of Congress

Tim Huelskamp Member of Congress

Steve Southerland Member of Congress

Bill Johnson
Member of Congress

Cory Cardner
Member of Congress

Michael Turner
Member of Congress

Rodney Davis Member of Congress

Member of Congress

Louie Gohmert Member of Congress Steve King Member of Congress

Congress of the United States Washington, DC 20515

Joe Barton Member of Congress

Andy Barr Member of Congress

Todd Young
Member of Congress

John Fleming Member of Congress

Ted Yoho
Member of Congress

Ralph Hall Member of Congress

Jef Miner Member of Congress

Blake Farenthold Member of Congress

Steve Stivers Member of Congress

Susan Brooks Member of Congress

Kristi Noem Member of Congress Tom Cotton
Member of Congress

Congress of the United States

Washin	gton, BC 20515
Mick Mulvanby Member of Congress	Kevin Cramer Member of Congress
Markwayne Mullin Member of Congress	Bob Gibbs Member of Congress
Jim Bridenstine Member of Congress	Trent Franks Member of Congress
David Schweikert Member of Congress	Doug Lamborn Member of Congress
Joe Wilson Member of Congress	Paul Gosar Member of Congress
Matt Salmon	Todd Rokita

Matt Salmon Member of Congress

Member of Congress

Congress of the United States House of Representatives

Washington, DC 20515

October 30, 2013

The Honorable Gina McCarthy Administrator U.S. Environmental Protection Agency Room 300, Ariel Rios Building 1200 Pennsylvania Avenue, N.W. Washington, D.C. 20460

Dear Administrator McCarthy:

Nearly eight years ago, Congress approved the Energy Policy Act of 2005, establishing the first Renewable Fuel Standard ("RFS"). In 2007, Congress significantly expanded the 2005 law when it passed the Energy Independence and Security Act of 2007, which increased the mandate to 36 billion gallons of biofuels by 2022. Unfortunately, despite the best intentions of the RFS, its premise and structure were based on many assumptions that no longer reflect the current market conditions, and the imposition of the 2014 volumes now threatens to cause economic and environmental harm. As Congress continues its bi-partisan work to address these concerns, we are writing to request that the EPA use its authority to adjust the 2014 RFS volumes.

As you are aware, the U.S. corn market has been increasingly volatile since the expansion of the RFS in 2007. This reflects the reality that more than 40 percent of the corn crop now goes into ethanol production, a dramatic rise since the first ethanol mandates were put into place in 2005. While well intentioned, the rigid nature of the federal law has not allowed it to change as new realities emerge in the market place. Ethanol now consumes more corn than animal agriculture, a fact directly attributable to the federal mandate. Corn prices are just one example of the economic harm caused by the RFS.

Due to the dramatic expansion of corn ethanol, volatile corn prices have led to the conversion of millions of acres of sensitive wetlands and grasslands into production. According to the EPA's analysis, the lifecycle emissions of corn ethanol in 2012 were higher than those of gasoline – and will be for years to come. Despite promised environmental benefits when the RFS was implemented, the National Academy of Sciences has noted that overall ethanol production and use lowers air and water quality.

Perhaps the newest challenge is the imposition of the statutory requirement of 18.15 billion gallons of renewable fuels in 2014, of which approximately 14.4 billion gallons will be made up by corn ethanol. In particular, the combination of rising ethanol mandates and declining gasoline demand has exacerbated the onset of the E10 blendwall- the point at which the gasoline supply is saturated with the maximum amount of ethanol that current vehicles, engines, and infrastructure can safely accommodate. The EPA explicitly acknowledged this challenge in its final rule implementing the 2013 volumes—"EPA does not currently foresee a scenario in which the market could consume enough ethanol sold in blends greater than E10, and/or produce sufficient volumes of non-ethanol biofuels to meet the volumes of total renewable fuel and advanced biofuel as required by statute for 2014." We understand that the EPA signaled its intention to address these concerns in the 2014 rulemaking and commend the EPA's willingness to use the authority Congress granted to it when crafting the RFS.

While the blendwall is a pressing issue, the federal government can help avoid a dangerous economic situation by adjusting the normally rigid Renewable Fuel Standard mandate down to align with gasoline market conditions and realities. We therefore urge the EPA to consider a fair and meaningful nationwide adjustment to the ethanol mandate in the Renewable Fuel Standard. Prompt action by the EPA can help to ease short supply concerns, prevent engine damage, save jobs across many U.S. industries, and keep families fed. We strongly urge you to exercise your authority and take the necessary steps to protect American consumers and the economy. Thank you for your immediate consideration of this request.

Sincerely,

Bob Goodlatte

Member of Congress

Jim Costa

Member of Congress

Steve Womack

Member of Congress

Peter Welch

¹ Regulation of Fuels and Fuel Additives: 2013 Renewable Fuel Standards, 78 Fed. Reg. 49,794, 49,823 (Aug. 15, 2013) (to be codified at 40 C.F.R. pt. 80).

Kobert Aderholt

Member of Congress

Robert Andrews Member of Congress

John Barrow

Member of Congress

Kerry Bentivolio Member of Congress

Diane Black Member of Congress

Charles Boustany, Jr.

Member of Congress

Member of Congress

Member of Congress

Member of Congress

Dan Benishek

Member of Congress

Member of Congress

Member of Congress

Kevin Brady Member of Congress

Paul Broun
Member of Congress

G.K. Butterfield Member of Congress

John Campbell
Member of Congress

enn Carter Member of Congress

Jason Chaffetz Member of Congress

Tom Cole Member of Congress

Doug Collins Member of Congress Michael Burgess
Member of Congress

Ken Calvert
Member of Congress

Shelley Moore Capito
Shelley Moore Capito
Member of Congress

Steve Chabot Member of Congress

Howard Coble Member of Congress

Chris Collins Member of Congress

Mike Congress
Member of Congress

Gerry Connolly Member of Congress

Tom Cotton Member of Congress

Henry Cuellar Member of Congress

Steve Daines

Member of Congress

Jeff **Deathern** Member of Congress

Ron DeSantis Member of Congress

Mario Diaz-Balart
Member of Congress

Paul Cook Member of Congress

frid Chand

Rick Crawford Member of Congress

John Culberson
Member of Congress

Peter DeFazio
Member of Congress

Charles Dent Member of Congress

Scott DesJarlais Member of Congress

Jeff Lunean
Menroer of Congress

John Dungan Member of Congress

Blake Facethold

Blake Farenthold Member of Congress

John Fleming Member of Congress

Virginia Foxx Member of Congress

Pete Gallego Member of Congress

Scott Garrett Member of Congress Renee Ellmers
Member of Congress

Chuck Fleischmann Member of Congress

Bill Flores Member of Congress

Trent Franks
Member of Congress

John Garamendi Member of Congress

Chris Gibson

Chris Gibson
Member of Congress

Louie Gohmert
Member of Congress

Paul Gosar Member of Congress

Kay Granger Member of Congress Tom Graves
Member of Congress

Gene Green Member of Congress Tim Griffin Member of Congress

H. Morgan Griffith Member of Congress

Member of Congress

Richard Hanna Member of Congress

Andy Harris Member of Congress Gregg Harren Member of Congress

Jeb Hensarling Member of Congress

Rubén Hinojosa Member of Congress

Randy Hultgren
Member of Congress

Robert Hurt Member of Congress

Sam Johnson Member of Congress

Jack Kingston Member of Congress

DR. Labrador

Raul Labrador Member of Congress Jun Himes Member of Congress

George Holding Member of Congress

Duncan Hunter Member of Congress

Darrell Issa Member of Congress

Walter Jones
Member of Congress

· Chand

Ann McLane Kuster Member of Congress

Doug/LaMalfa

Doug Fembor Doug Lamborn Member of Congress Leonard Lance

Leonard Lance Member of Congress

James Lankford Member of Congress

Frank LoBiondo
Member of Congress

Billy Long
Member of Congress

Member of Congress

Ben Ray Luján

Cynthia Lummis Member of Congress

Kenny Marchant Member of Congress

Tom Marino
Member of Congress

Jim Matheson
Member of Congress

Kevin McCarthy Member of Congress

Michael McCaul Member of Congress

Tom McClintock Member of Congress

Patrick McHenry Member of Congress David McKinley
Member of Congress

Cach the how Rodgen

Cathy McMorris Rodgers Member of Congress

Mark Meadows
Member of Congress

ress Pat Meehan
Member of Congress

Mike Michaud Member of Congress

Jim Maran Member of Congress

Mick Mulvariey
Member of Congress

Richard Nugert
Member of Congress

Alan Nunnelee Member of Congress Jeff Mille Jiember of Congress

> Markwayne Mullin Member of Congress

> Randy/Jeugebauer/ Member of Congress

Devin Nunes Member of Congress

Pete Olson Member of Congress

Pete Olan

Bill Owens Member of Congress

Steve Pearce Member of Congress

Chellie Pingree Member of Congress

Joe Pitts Member of Congress

Tom Price
Member of Congress

Tom Reed Member of Congress

Cedric Richmond Member of Congress Steven Palazzo
Member of Congress

Scott Perry Member of Congress

Robert Pittenger
Member of Congress

AWW

Member of Congress

Trey Radel

Member of Congress

Tom Rice

Member of Congress

Phil Roe Member of Congress

Mike Rogers (MI)
Member of Congress

Dana Rohrabacher Member of Congress Tom Rooney Member of Congress

Dennis Ross Member of Congress

Loretta Sanchez

Member of Congress

David Schweikert Member of Congress

Bobby Scott Member of Congress

lames Sensenbrenner Men ber of Congress Keith Rothfus
Member of Congress

Kurt Schrader Member of Congress

Austin Scott Member of Congress

David Scott
Member of Congress

Pete Sessions

Bill Shuster
Member of Congress

Lamar Smith
Member of Congress

Bennie Thompson Member of Congress

Mac Thornberry
Member of Congress

Marc Veasey
Member of Congress

Tim Walberg Member of Congre

Member of Congress

Mike Simpson
Member of Congress

Chris Stewart Member of Congress

Glenn Thompson Member of Congress

David Valadao Member of Congress

Filemon Vela Member of Congress

Greg Walden

Member of Congress

Randy Weber

Daniel Webster Member of Congress Roger Williams Member of Congress Rob Woodall Member of Congress Don Young Member of Congress Stephen Fincher Member of Congress

Member of Congress

Lynn Westmoreland Member of Congress Member of Congress Frank Wolf Member of Congress Member of Congress Rodney P. Frelinghuysen Member of Congress Member of Congress Member of Congress

Mims, Kathy

From:

Mackay, Cheryl

Sent: To: Thursday, October 31, 2013 11:33 AM Mims, Kathy; Eades, Cassaundra

Subject:

FW: RFS Letter

Attachments:

RFSLetterToAdminMcCarthy.pdf

Please save in CMS and control to OAR/OTAQ. Here is the list of signatories to the letter. Thanks!

Aderholt, Robert B. (R-AL, 4th)

Amodei, Mark (R-NV, 2nd)

Andrews, Robert E. (D-NJ, 1st)

Barletta, Lou (R-PA, 11th)

Barrow, John (D-GA, 12th)

Benishek, Dan (R-MI, 1st)

Bentivolio, Kerry (R-MI, 11th)

Bilirakis, Gus (R-FL, 12th)

Black, Diane (R-TN, 6th)

Blackburn, Marsha W. (R-TN, 7th)

Boustany, Charles W. (R-LA, 3rd)

Brady, Kevin (R-TX, 8th)

Bridenstine, Jim (R-OK, 1st)

Brooks, Mo (R-AL, 5th)

Broun, Paul (R-GA, 10th)

Burgess, Michael C. (R-TX, 26th)

Butterfield, G. K. (D-NC, 1st)

Calvert, Ken (R-CA, 42nd)

Campbell, John (R-CA, 45th)

Capito, Shelley Moore (R-WV, 2nd)

Carter, John R. (R-TX, 31st)

Chabot, Steve (R-OH, 1st)

Chaffetz, Jason (R-UT, 3rd)

Coble, Howard (R-NC, 6th)

Cole, Tom (R-OK, 4th)

Collins, Chris (R-NY, 27th)

Collins, Doug (R-GA, 9th)

Conaway, Mike (R-TX, 11th)

Connolly, Gerry (D-VA, 11th)

Cook, Paul J. (R-CA, 8th)

Costa, Jim (D-CA, 16th)

Cotton, Tom (R-AR, 4th)

Crawford, Rick (R-AR, 1st)

Cuellar, Henry (D-TX, 28th)

Culberson, John (R-TX, 7th)

Daines, Steve (R-MT, At Large)

DeFazio, Peter A. (D-OR, 4th)

Denham, Jeff (R-CA, 10th)

Dent, Charles (R-PA, 15th)

DeSantis, Ron (R-FL, 6th)

DesJarlais, Scott (R-TN, 4th)

Diaz-Balart, Mario (R-FL, 25th)

Duncan, Jeff (R-SC, 3rd)

Duncan, John J. Jr. (R-TN, 2nd)

Ellmers, Renee (R-NC, 2nd)

Farenthold, Blake (R-TX, 27th)

Fincher, Stephen (R-TN, 8th)

Fleischmann, Chuck (R-TN, 3rd)

Fleming, John (R-LA, 4th)

Flores, Bill (R-TX, 17th)

Foxx, Virginia (R-NC, 5th)

Franks, Trent (R-AZ, 8th)

Frelinghuysen, Rodney (R-NJ, 11th)

Gallego, Pete (D-TX, 23rd)

Garamendi, John (D-CA, 3rd)

Garrett, Scott (R-NJ, 5th)

Gerlach, Jim (R-PA, 6th)

Gibson, Chris (R-NY, 19th)

Gingrey, Phil (R-GA, 11th)

Gohmert, Louie (R-TX, 1st)

Goodlatte, Bob (R-VA, 6th)

Gosar, Paul (R-AZ, 4th)

Granger, Kay (R-TX, 12th)

Graves, Tom (R-GA, 14th)

Green, Gene (D-TX, 29th)

Griffin, Tim (R-AR, 2nd)

Griffith, Morgan (R-VA, 9th)

Hall, Ralph M. (R-TX, 4th)

Hanna, Richard L. (R-NY, 22nd)

Harper, Gregg (R-MS, 3rd)

Harris, Andy (R-MD, 1st)

Heck, Joe (R-NV, 3rd)

Hensarling, Jeb (R-TX, 5th)

Himes, Jim (D-CT, 4th)

Hinojosa, Rubén (D-TX, 15th)

Holding, George E. (R-NC, 13th)

Hultgren, Randy (R-IL, 14th)

Hunter, Duncan D. (R-CA, 50th)

Hurt, Robert (R-VA, 5th)

Issa, Darrell (R-CA, 49th)

Johnson, Sam (R-TX, 3rd)

Jones, Walter B. (R-NC, 3rd)

Kelly, Mike (R-PA, 3rd)

Kingston, Jack (R-GA, 1st)

Kuster, Ann McLane (D-NH, 2nd)

Labrador, Raúl (R-ID, 1st)

LaMalfa, Doug (R-CA, 1st)

Lamborn, Doug (R-CO, 5th)

Lance, Leonard (R-NJ, 7th)

Lankford, James (R-OK, 5th)

LoBiondo, Frank A. (R-NJ, 2nd)

Long, Billy (R-MO, 7th)

Luján, Ben R. (D-NM, 3rd)

Lummis, Cynthia M. (R-WY, At Large)

Marchant, Kenny E. (R-TX, 24th)

Marino, Tom (R-PA, 10th)

Matheson, Jim (D-UT, 4th)

McCarthy, Kevin (R-CA, 23rd)

McCaul, Michael (R-TX, 10th)

McClintock, Tom (R-CA, 4th)

McHenry, Patrick (R-NC, 10th)

McKinley, David B. (R-WV, 1st)

McMorris Rodgers, Cathy (R-WA, 5th)

Meadows, Mark (R-NC, 11th)

Meehan, Pat (R-PA, 7th)

Michaud, Mike (D-ME, 2nd)

Miller, Jeff (R-FL, 1st)

Moran, Jim (D-VA, 8th)

Mullin, Markwayne (R-OK, 2nd)

Mulvaney, Mick (R-SC, 5th)

Neugebauer, Randy (R-TX, 19th)

Nugent, Richard (R-FL, 11th)

Nunes, Devin (R-CA, 22nd)

Nunnelee, Alan (R-MS, 1st)

Olson, Pete (R-TX, 22nd)

Owens, Bill (D-NY, 21st)

Palazzo, Steven (R-MS, 4th)

Pearce, Steve (R-NM, 2nd)

Perry, Scott (R-PA, 4th)

Pingree, Chellie M. (D-ME, 1st)

Pittenger, Robert (R-NC, 9th)

Pitts, Joe (R-PA, 16th)

Poe, Ted (R-TX, 2nd)

Posey, Bill (R-FL, 8th)

Price, Tom (R-GA, 6th)

Radel, Trey (R-FL, 19th)

Reed, Tom (R-NY, 23rd)

Rice, Tom (R-SC, 7th)

Richmond, Cedric L. (D-LA, 2nd)

Rigell, Scott (R-VA, 2nd)

Roe, Phil (R-TN, 1st)

Rogers, Mike (R-MI, 8th)

Rohrabacher, Dana (R-CA, 48th)

Rooney, Tom (R-FL, 17th)

Ross, Dennis A. (R-FL, 15th)

Rothfus, Keith J. (R-PA, 12th)

Sanchez, Loretta (D-CA, 46th)

Schrader, Kurt (D-OR, 5th)

Schweikert, David (R-AZ, 6th)

Scott, Austin (R-GA, 8th)

Scott, Bobby (D-VA, 3rd)

Scott, David (D-GA, 13th)

Sensenbrenner, Jim Jr. (R-WI, 5th)

Sessions, Pete (R-TX, 32nd)

Shuster, Bill (R-PA, 9th)

Simpson, Mike (R-ID, 2nd)

Smith, Lamar S. (R-TX, 21st)

Stewart, Chris (R-UT, 2nd)

Thompson, Bennie G. (D-MS, 2nd)

Thompson, Glenn W. (R-PA, 5th)

Thornberry, Mac (R-TX, 13th)

Valadao, David G. (R-CA, 21st)

Veasey, Marc (D-TX, 33rd)

Vela, Filemon (D-TX, 34th)

Walberg, Tim (R-MI, 7th)

Walden, Greg (R-OR, 2nd)

Weber, Randy (R-TX, 14th)

Webster, Daniel A. (R-FL, 10th)

Welch, Peter (D-VT, At Large)

Westmoreland, Lynn A. (R-GA, 3rd)

Williams, Roger (R-TX, 25th)

Wilson, Joe (R-SC, 2nd)

Wittman, Rob (R-VA, 1st)

Wolf, Frank R. (R-VA, 10th)

Womack, Steve (R-AR, 3rd)

Woodall, Rob (R-GA, 7th)

Yoho, Ted (R-FL, 3rd)

Young, Don (R-AK, At Large)

From: Vaught, Laura

Sent: Thursday, October 31, 2013 10:11 AM

To: Mackay, Cheryl

Cc: Lewis, Josh; Distefano, Nichole

Subject: Fw: RFS Letter

Can you get this into system? Thanks! Sending separately a handy list she sent of signatories.

From: Meadows, Carrie < Carrie. Meadows@mail.house.gov>

Sent: Thursday, October 31, 2013 9:53:26 AM

To: Vaught, Laura Subject: RFS Letter

Hi Laura.

I hope you are well! We faxed this, but I wanted to send to you too so you had a copy. Please let me know if you have any questions.

Carrie

Carrie Meadows Legislative Director Office of Congressman Bob Goodlatte (202) 225-5431 Phone (202) 225-9681 Fax

MARKWAYNE MULLIN 2ND DISTRICT, OKLAHOMA

1113 Longworth House Office Building Washington, DC 20515 (202) 225–2701

Congress of the United States House of Representatives

Washington, **BC** 20515-3602

The Honorable Gina McCarthy Environmental Protection Agency 1200 Pennsylvania Avenue, N.W. Washington, D.C. 20460

The Honorable Jimmy Givens
Interim Executive Director
Oklahoma Department of Environmental Quality
707 N. Robinson
Oklahoma City, OK 73102

December 17, 2013

Dear Administrator McCarthy:

I respectfully request that you delay implementation for new water quality testing procedures under the Lead and Copper Rule that are to be imposed on Rural Water Districts across the United States. The heavy burdens that would result from the full implementation of the regulations will have a chilling effect on many Rural Water Districts and could see many not making these deadlines forcing fines to be levied against them.

As a business owner, I understand the burdens that come from regulations. It was one of the driving forces for my initial run for Congress. One of my main concerns is that with Districts affected and already strapped for cash, fines will inevitably be passed onto locals.

The Rural Water Districts contend, as I do, that the Environmental Protection Agency (EPA) and DEQ have not adequately briefed these Districts on the pending implementation of the regulations. Many have contended that the timeline is not realistic and is another unfunded mandate passed down through regulatory framework. EPA and DEQ has had years to rollout this process and has not fully prepared our state and local municipalities in advance of the new calendar year. Rural Water Districts across the U.S. are now going to be required to take a mandatory number of test samples. Tests will cost a set amount that many Districts have not accounted for in their annual budgets. For each failed sample, a fine will also be assessed upon the Rural Water District.

I have heard from many local municipalities and Rural Water Districts across my congressional district that they are struggling to get samples to make the deadline set by Oklahoma's Department of Environmental Quality (DEQ). Many Rural Water Districts contend that they do not have the capital and labor force to come into compliance with these regulations set forth in amendments to the Safe Drinking Water Act specific to lead and copper contamination tests in the short amount of time left in calendar year 2013.

COMMITTEES

NATURAL RESOURCES COMMITTEE

SUBCOMMITTEES
INDIAN AND ALASKA NATIVE AFFAIRS

WATER AND POWER

TRANSPORTATION AND

INFRASTRUCTURE COMMITTEE
SUBCOMMITTEES
WATER RESOURCES AND ENVIRONMENT

HIGHWAYS AND TRANSIT
ECONOMIC DEVELOPMENT, PUBLIC BUILDINGS,
AND EMERGENCY MANAGEMENT

These Districts have alerted me of the negative unintended consequences that will result from these regulations. Many have repeatedly asked DEQ for help for several months and are just now being able to connect with state officials and still others were not aware of these regulations until contacted by my office.

Constituencies like mine cover hundreds of miles and many are administered by as few as one person. These individuals have many duties associated with their job. The logistics of one person administering all the required tests is a logistical nightmare. If Rural Water Districts are not able to be in compliance, this will lead to a big cost for the District and a net loss for our municipalities, who are already strapped for funds.

I recently had my office contact both the Oklahoma Rural Water Association as well as DEQ to set up a meeting in our congressional district for affected Rural Water Districts. Many of my constituents share my concerns expressed above. It is my hope that you will work with me so that Rural Water Districts across the U.S. are not negatively affected by the implementation of these procedures.

Sincerely,

Markwayne Mullin Member of Congress

CC: The Honorable Jimmy Givens

THE WHITE HOUSE OFFICE REFERRAL

April 09, 2014

TO: ENVIRONMENTAL	L PROTECTION AGENCY	
ACTION COMMENTS:		
ACTION REQUESTED:	DIRECT REPLY W/COPY	
REFERRAL COMMENT	'S:	
DESCRIPTION OF INC	OMING:	
ID:	1135887	
MEDIA:	EMAIL	
DOCUMENT DATE	: April 04, 2014	
TO:	PRESIDENT OBAMA	
FROM:	THE HONORABLE PATRICK MEEHAN U.S. HOUSE OF REPRESENTATIVES WASHINGTON, DC 20515	
SUBJECT:	URGES THE PRESIDENT TO ENSURE I FINAL 2014 RENEWABLE FUEL STAND	
COMMENTS:		

PROMPT ACTION IS ESSENTIAL -- IF REQUIRED ACTION HAS NOT BEEN TAKEN WITHIN 9 WORKING DAYS OF RECEIPT, UNLESS OTHERWISE STATED, PLEASE TELEPHONE THE UNDERSIGNED AT (202) 456-2890.

RETURN ORIGINAL CORRESPONDENCE, WORKSHEET AND COPY OF RESPONSE (OR DRAFT) TO: DOCUMENT TRACKING UNIT, ROOM 63, OFFICE OF RECORDS MANAGEMENT - THE WHITE HOUSE, 20500

THE WHITE HOUSE DOCUMENT MANAGEMENT AND TRACKING WORKSHEET



DATE RECEIVED: April 09, 2014

CASE ID: 1135887

NAME OF CORRESPONDENT: THE HONORABLE PATRICK MEEHAN

SUBJECT: URGES THE PRESIDENT TO ENSURE PROMPT PROMULGATION OF THE FINAL 2014

Markey and the first of the

RENEWABLE FUEL STANDARD (RFS) STANDARDS

		Α	CHON	DISPOSITION
ROUTE TO: AGENCY/OFFICE	(STAFF NAME)	CODE	DATE	TYPE DATE RESPONSE CODE COMPLETE
LEGISLATIVE AFFAIRS	KATIE FALLON	ORG	04/09/2014	
ACTION COMMEN	NTS:			
ENVIRONMENTAL PROTECTION AGENCY		R	04/09/2014	
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ACTION CODES		DISPOSITION	
A = APPROPRIATE ACTION	TYPE RESPONSE	DISPOSITION CODES	COMPLETED DATE
B = RESEARCH AND REPORT BACK D = DRAFT RESPONSE I = INFO COPY/NO ACT NECESSARY R = DIRECT REPLY W/ COPY ORG = ORIGINATING OFFICE	INITIALS OF SIGNER (W.H. STAFF) NRN = NO RESPONSE NEEDED OTBE = OVERTAKEN BY EVENTS	A = ANSWERED OR ACKNOWLEDGED C = CLOSED X = INTERIM REPLY	DATE OF ACKNOWLEDGEMENT OR CLOSEOUT DATE (MM/DD/YY)

KEEP THIS WORKSHEET ATTACHED TO THE ORIGINAL INCOMING LETTER AT ALL TIMES
REFER QUESTIONS TO DOCUMENT TRACKING UNIT (202)-456-2590
SEND ROUTING UPDATES AND COMPLETED RECORDS TO OFFICE OF RECORDS MANAGEMENT - DOCUMENT TRACKING UNIT ROOM 63, EEOB.

Congress of the United States Washington, DC 20515

April 4, 2014

President Barack Obama The White House 1600 Pennsylvania Ave NW Washington, DC 20500

Dear Mr. President,

The Environmental Protection Agency's (EPA or the Agency) recent proposal to lower the Renewable Fuel Standard (RFS) volume requirements for 2014 was a necessary and welcome acknowledgement of the economic, environmental and infrastructure barriers facing the RFS program. The Agency's recent statement that it does not expect to issue a final rule until the summer of 2014, however, is a troubling development with significant economic consequences. In fact, news of a potential delay jolted the market, sent the cost of RINS up by 60% in one day and could create upward pressure on gas prices as we get closer to the spring and summer seasons.

For the reasons outlined below, we urge you to ensure that a final rule setting RFS standards for 2014 be promulgated as soon as possible and no less than sixty (60) days prior to the compliance deadline for the 2013 RFS standards.

The statutory deadline for promulgation of annual RFS requirements is November 30 of the prior year so that regulated parties can make important business decisions that affect the method and cost of compliance. EPA has already missed this deadline for the 2014 standards. It did not publish the proposed 2014 standards until November 29, 2013 - just one day before the statutory deadline for promulgation of a final rule. Following a sixty (60) day public comment period that closed on January 28, 2014, the Agency released a statement indicating that it expects to issue a final rule "by the summer of 2014," months after the statutory deadline.

Failure to issue a final 2014 rule well before the compliance deadline for the 2013 RFS standards is inconsistent with prior statements from the EPA, creates significant, unnecessary uncertainty for regulated parties, and adversely affects all stakeholders - renewable fuel producers, petroleum refiners and importers, and the consuming public. Every day the final rule is delayed is another day of uncertainty for all stakeholders, ultimately harming consumers of gasoline and other refined products the most.

EPA published the final 2013 RFS standards on August 15, 2013, more than eight (8) months late and applied them retroactively to January 1, 2013. In that final rule, the Agency extended the 2013 compliance deadline from February 28, 2014 to June 30, 2014. EPA correctly acknowledged the importance of having the 2014 final rule promulgated before regulated parties have to demonstrate compliance with the 2013 standards and provided this explanation for the extension: "EPA chose this date both to provide additional time for a compliance demonstration and because we anticipate issuing a final rule establishing the 2014 RFS standards as soon as possible before that date. Establishing a 2013 compliance deadline on a date that occurs after promulgation of the final rule setting the 2014 standards should allow obligated parties to take their 2014 obligations into consideration as they determine how to utilize RINs for 2013 compliance."

Prompt promulgation of a final 2014 RFS rule well before the compliance deadline for the 2013 rule is in the best interest of all stakeholders and we urge you to ensure prompt, timely promulgation of the final 2014 RFS standards.

Sincerely,

Patrick Meehan	•
Member of Congress	

Austin Scott Member of Congress

Keith Rothfus
Member of Congress

Mario Diaz-Balart Member of Congress

Nember of Congress

Pete Olson Member of Congress

Chuck Fleischmann Member of Congress Robert Brady Member of Congress

Doug Collins
Member of Congress

Phil Gingrey
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Member of Congress

Tom Graves

Member of Congress

Member of Congress

Dennis Ross

Member of Congress

James Lankford

Member of Congress

Michael McCaul Member of Congress

Mike Fompeo Member of Congress

Member of Congress

Mike Kelly Member of Congress

Sam Johnson

Member of Congress

Member of Congress

Markwayne Mullin Member of Congress

Leonard Lance Member of Congress

Rob Bishop

Member of Congress

Rob Woodall

Member of Congress

Member of Congress

John Carney

Member of Congress

Steve Womack

Member of Congress

Member of Congress

Jason Chaffe Member of Congress

Tom Cole

Member of Congress

Jim Serlach Member of Congress

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Michael Fitzpatrick Member of Congress

Steve Chabot Member of Congress

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Member of Congress

Paul Broun

Member of Congress

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Member of Congress

Member of Congress

Mike Simpson

Member of Congress

Rodney Vrelinghuysen Member of Congress

Jeb Hensarling
Member of Congress

Marcy Kaptur Member of Congress

on Matheson Member of Congress

Marc Veasey
Member of Congress

Congress of the United States Washington, DC 20515

May 1, 2014

The Honorable Gina McCarthy Administrator U.S. Environmental Protection Agency 1200 Pennsylvania Avenue, NW Washington, D.C. 20460 The Honorable John M. McHugh Secretary Department of the Army The Pentagon, Room 3E700 Washington, D.C. 20310

Dear Administrator McCarthy and Secretary McHugh:

We write to express our serious concerns with the proposed rule re-defining the scope of federal power under the Clean Water Act (CWA) and ask you to return this rule to your Agencies in order to address the legal, economic, and scientific deficiencies of the proposal.

On March 25, 2014, the Environmental Protection Agency (EPA) and the U.S. Army Corps of Engineers (USACE) released a proposed rule that would assert CWA jurisdiction over nearly all areas with any hydrologic connection to downstream navigable waters, including man-made conveyances such as ditches. Contrary to your agencies' claims, this would directly contradict prior U.S. Supreme Court decisions, which imposed limits on the extent of federal CWA authority. Although your agencies have maintained that the rule is narrow and clarifies CWA jurisdiction, it in fact aggressively expands federal authority under the CWA while bypassing Congress and creating unnecessary ambiguity. Moreover, the rule is based on incomplete scientific and economic analyses.

The rule is flawed in a number of ways. The most problematic of these flaws concerns the significant expansion of areas defined as "waters of the U.S." by effectively removing the word "navigable" from the definition of the CWA. Based on a legally and scientifically unsound view of the "significant nexus" concept espoused by Justice Kennedy, the rule would place features such as ditches, ephemeral drainages, ponds (natural or man-made), prairie potholes, seeps, flood plains, and other occasionally or seasonally wet areas under federal control.

Additionally, rather than providing clarity and making identifying covered waters "less complicated and more efficient," the rule instead creates more confusion and will inevitably cause unnecessary litigation. For example, the rule heavily relies on undefined or vague concepts such as "riparian areas," "landscape unit," "floodplain," "ordinary high water mark" as determined by the agencies' "best professional judgment" and "aggregation." Even more egregious, the rule throws into confusion extensive state regulation of point sources under various CWA programs.

In early December of 2013, your agencies released a joint analysis stating that this rule would subject an additional three percent of U.S. waters and wetlands to CWA jurisdiction and that the rule would create an economic benefit of at least \$100 million annually. This calculation is seriously flawed. In this analysis, the EPA evaluated the FY 2009-2010 requests for jurisdictional determinations – a period of time that was the most economically depressed in

nearly a century. This period, for example, saw extremely low construction activity and should not have been used as a baseline to estimate the incremental acreage impacted by this rule. In addition, the derivation of the three percent increase calculation did not take into account the landowners who – often at no fault of their own – do not seek a jurisdictional determination, but rather later learn from your agencies that their property is subject to the CWA. These errors alone, which are just two of many in EPA's assumptions and methodology, call into question the veracity of any of the conclusions of the economic analysis.

Compounding both the ambiguity of the rule and the highly questionable economic analysis, the scientific report – which the agencies point to as the foundation of this rule – has been neither peer-reviewed nor finalized. The EPA's draft study, "Connectivity of Streams and Wetlands to Downstream Waters: A Review and Synthesis of the Scientific Evidence," was sent to the EPA's Science Advisory Board to begin review on the same day the rule was sent to OMB for interagency review. The science should always come before a rulemaking, especially in this instance where the scientific and legal concepts are inextricably linked.

For all these reasons, we ask that this rule be withdrawn and returned to your agencies. This rule has been built on an incomplete scientific study and a flawed economic analysis. We therefore ask you to formally return this rule to your agencies.

Sincerely,

CHRIS COLLINS

Member of Congress

KURT SCHRADER
Member of Congress

BILL SHUSTER

Chairman

House Committee on Transportation and Infrastructure

LAMAR SMITH

Chairman

House Committee on

Science, Space, and Technology

FRED UPTO

Chairman

House Committee on

Energy and Commerce

DOC HASTINGS

Chairman

House Committee on

Natural Resources

FRANK LUCAS

Chairman

House Committee on Agriculture

COLLIN PETERSON

Ranking Member

House Committee on Agriculture

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Member	Party	District
Don Young	R	AK-AL
Bradley Byrne	R	AL-1
Martha Roby	R	AL-2
Mike Rogers	R	AL-3
Robert Aderholt	R	AL-4
Mo Brooks	R	AL-5
Spencer Bachus	R	AL-6
Terri Sewell	D	AL-7
Rick Crawford	R	AR-1
Tim Griffin	R	AR-2
Steve Womack	R	AR-3
Tom Cotton	R	AR-4
Paul Gosar	R	AZ-4
Matt Salmon	R	AZ-5
David Schweikert	R	AZ-6
Trent Franks	R	AZ-8
Doug LaMalfa	R	CA-1
Jeff Denham	R	CA-10
Jim Costa	D	CA-16
David Valadao	R	CA-21
Devin Nunes	R	CA-22
Kevin McCarthy	R	CA-22
Howard "Buck" McKeon	R	CA-25
Gary Miller	R	CA-31
Tom McClintock	R	CA-4
Ken Calvert	R	CA-42
Dana Rohrabacher	R	CA-48
Darrell Issa	R	CA-49
Paul Cook	R	CA-8
Scott Tipton	R	CO-3
Cory Gardner	R	CO-4
Doug Lamborn	R	CO-5
Mike Coffman	R	CO-6
Jeff Miller	R	FL-1
Rich Nugent	R	FL-11
Gus Bilirakis	R	FL-12
Tom Rooney	R	FL-17
Steve Southerland	R	FL-2
Mario Diaz-Balart	R	FL-25
Ileana Ros-Lehtinen	R	FL-27
Ted Yoho	R	FL-3
Ron DeSantis	R	FL-6
John Mica	R	FL-7
Jack Kingston	R	GA-1
Paul Broun	R	GA-10
Phil Gingrey	R	GA-11

John Barrow	D	GA-12
David Scott	D	GA-13
Tom Graves	R	GA-14
Sanford Bishop	D	GA-2
Lynn Westmoreland	R	GA-3
Tom Price	R	GA-6
Rob Woodall	R	GA-7
Austin Scott	R	GA-8
Doug Collins	R	GA-9
Tom Latham	R	IA-3
Steve King	R	IA-5
Raul Labrador	R	ID-1
Michael Simpson	R	ID-2
William Enyart	D	IL-12
Rodney Davis	R	IL-13
Randy Hultgren	R	IL-14
John Shimkus	R	IL-15
Adam Kinzinger	R	IL-16
Aaron Schock	R	IL-18
Peter Roskam	R	IL-6
Jackie Walorski	R	IN-2
Marlin Stutzman	R	IN-3
Todd Rokita	R	IN-4
Susan Brooks	R	IN-5
Luke Messer	R	IN-6
Larry Bucshon	R	IN-8
Todd Young	R	IN-9
Tim Huelskamp	R	KS-1
Lynn Jenkins	R	KS-2
Kevin Yoder	R	KS-3
Mike Pompeo	R	KS-4
Ed Whitfield	R	KY-1
Brett Guthrie	R	KY-2
Thomas Massie	R	KY-4
Hal Rogers	R	KY-5
Andy Barr	R	KY-6
Cedric Richmond	D	LA-2
Charles Boustany	R	LA-3
John Fleming	R	LA-4
Vance McAllister	R	LA-5
Bill Cassidy	R	LA-6
Andy Harris	R	MD-1
Dan Benishek	R	MI-1
Candice Miller	R	MI-10
Kerry Bentivolio	R	MI-11
Bill Huizenga	R	MI-2
Justin Amash	R	MI-3

Dave Camp	R	MI-4
Fred Upton	R	MI-6
Tim Walberg	R	MI-7
Mike Rogers	R	MI-8
John Kline	R	MN-2
Erik Paulsen	R	MN-3
Michele Bachmann	R	MN-6
Collin Peterson	D	MN-7
Ann Wagner	R	MO-2
Blaine Luetkemeyer	R	MO-3
Vicky Hartzler	R	MO-4
Sam Graves	R	MO-6
Billy Long	R	MO-7
Jason Smith	R	MO-8
Alan Nunnelee	R	MS-1
Bennie G. Thompson	D	MS-2
Gregg Harper	R	MS-3
Steven Palazzo	R	MS-4
Patrick McHenry	R	NC-10
Mark Meadows	R	NC-11
George Holding	R	NC-13
Renee Ellmers	R	NC-2
Walter Jones	R	NC-3
Virginia Foxx	R	NC-5
Howard Coble	R	NC-6
Mike McIntyre	D	NC-7
Richard Hudson	R	NC-8
Robert Pittenger	R	NC-9
Kevin Cramer	R	ND-AL
Lee Terry	R	NE-2
Adrian Smith	R	NE-3
Scott Garrett	R	NJ-5
Steve Pearce	R	NM-2
Mark Amodei	R	NV-2
Joe Heck	R	NV-3
Michael Grimm	R	NY-11
Chris Gibson	R	NY-19
Peter King	R	NY-2
Bill Owens	D	NY-21
Richard Hanna	R	NY-22
Tom Reed	R	NY-23
Chris Collins	R	NY-27
Steve Chabot	R	OH-1
Michael Turner	R	OH-10
Patrick Tiberi	R	OH-12
David Joyce	R	OH-14
Steve Stivers	R	OH-15

Jim Renacci	R	OH-1
Brad Wenstrup	R	OH-
Jim Jordan	R	OH-
Robert Latta	R	OH-
Bill Johnson	R	OH-
Bob Gibbs	R	OH-
Jim Bridenstine	R	OK-
Markwayne Mullin	R	OK-
Frank Lucas	R	OK-
James Lankford	·R	OK-
Greg Walden	R	OR-
Kurt Schrader	D	OR-
Tom Marino	R	PA-1
Lou Barletta	R	PA-1
Keith Rothfus	R	PA-1
Charlie Dent	R	PA-1
Joe Pitts	R	PA-1
Tim Murphy	R	PA-1
Mike Kelly	R	PA-S
Scott Perry	R	PA-4
Glenn 'GT' Thompson	R	PA-5
Jim Gerlach	R	PA-6
Patrick Meehan	R	PA-7
Mike Fitzpatrick	R	PA-8
Bill Shuster	R	PA-9
Mark Sanford	R	SC-1
Joe Wilson	R	SC-2
Jeff Duncan	R	SC-3
Mick Mulvaney	R	SC-5
Tom Rice	R	SC-7
Kristi Noem	R	SD-A
Phil Roe	R	TN-1
John J. Duncan, Jr.	R	TN-2
Chuck Fleishmann	R	TN-3
Scott DesJarlais	R	TN-4
Diane Black	R	TN-6
Marsha Blackburn	R	TN-7
Stephen Fincher	R	TN-8
Louie Gohmert	R	TX-1
Michael McCaul	R	TX-1
K. Michael Conaway	R	TX-1
Kay Granger	R	TX-1
Mac Thornberry	R	TX-13
Randy Weber	R	TX-1
Ruben Hinojosa	D	TX-1
Bill Flores	R	TX-1
Randy Neugebauer	R	TX-19

Ted Poe	R	TX-2
Lamar Smith	R	TX-21
Pete Olson	R	TX-22
Pete Gallego	D	TX-23
Kenny Marchant	R	TX-24
Roger Williams	R	TX-25
Michael Burgess	R	TX-26
Blake Farenthold	R	TX-27
Henry Cuellar	D	TX-28
Sam Johnson	R	TX-3
John Carter	R	TX-31
Pete Sessions	R	TX-32
Marc Veasey	D	TX-33
Filemon Vela	D	TX-34
Steve Stockman	R	TX-36
Ralph Hall	R	TX-4
Jeb Hensarling	R	TX-5
Joe Barton	R	TX-6
John Culberson	R	TX-7
Kevin Brady	R	TX-8
Rob Bishop	R	UT-1
Chris Stewart	R	UT-2
Jason Chaffetz	R	UT-3
Jim Matheson	D	UT-4
Robert Wittman	R	VA-1
Frank Wolf	R	VA-10
Scott Rigell	R	VA-2
J. Randy Forbes	R	VA-4
Robert Hurt	R	VA-5
Bob Goodlatte	R	VA-6
Morgan Griffith	R	VA-9
Jaime Herrera Beutler	R	WA-3
Doc Hastings	R	WA-4
Cathy McMorris Rodgers	R	WA-5
Dave Reichert	R	WA-8
Paul Ryan	R	WI-3
Jim Sensenbrenner	R	WI-5
Tom Petri	R	WI-6
Sean Duffy	R	WI-7
Reid Ribble	R	WI-8
David McKinley	R	WV-1
Shelly Moore Capito	R	WV-2
Nick Rahall	D	WV-3
Cynthia Lummis	R	WY-AL

Congress of the United States

Washington, DC 20510

May 8, 2014

The Honorable Gina McCarthy Administrator Environmental Protection Agency 1200 Pennsylvania Avenue, N.W. Washington, DC 20460

Dear Administrator McCarthy,

As members of the Senate and Congressional Western Caucuses, we are contacting you regarding our opposition to the Environmental Protection Agency's (EPA) efforts to significantly expand federal regulatory authority under the Clean Water Act (CWA).

We have reviewed the proposed rule that you signed on March 25th and have concluded that the rule provides essentially no limit to CWA jurisdiction. This is despite the Supreme Court consistently recognizing that Congress limited the authority of the EPA and the Army Corps of Engineers under the CWA.

There has been strong opposition to EPA's approach due to the devastating economic impacts that a federal takeover of state waters would have. Additional and substantial regulatory costs associated with changes in jurisdiction and increased permitting requirements will result in bureaucratic barriers to economic growth, negatively impacting farms, small businesses, commercial development, road construction and energy production, to name a few.

The threat of ruinous penalties for alleged noncompliance with the CWA is also likely to become more common given the proposed rule's expansive approach. For example, the EPA's disputed classification of a small, local creek as a "water of the United States" could cost as much as \$187,500 per day in civil penalties for Wyoming resident Andrew Johnson. Similar uncertainty established under the proposed rule will ensure that expanding federal control over intrastate waters will substantially interfere with the ability of individual landowners to use their property.

We share the concerns expressed by the Western Governors Association regarding the lack of meaningful state consultation in crafting this rule. The Western Governors stated in a letter to you on March 25th that they –

"are concerned that this rulemaking was developed without sufficient consultation with the states and that the rulemaking could impinge upon state authority in water management."

We fail to understand why the EPA has not adequately consulted our Governors about a rule that has such a significant impact on the economy of our states. For example, rural states in the West have sizeable ranching and farming operations that will be seriously impacted by this rule. Despite the claim that the Army Corps will exempt 53 farming practices as established by the Natural Resource Conservation Service, the list of 53 does not cover all existing agricultural practices. There are a number of farming and ranching practices, such as the application of pesticides, that are not covered on this list that occur every day in the West without penalty. Under this new proposed rule, it appears those farmers and ranchers will need to get a permit or be penalized if they continue to use those non-covered practices in new federal waters.

Congress has demonstrated strong opposition to past efforts to have the federal government control all wet areas of the states. During the recent consideration of the Water Resources Development Act (WRDA), a bipartisan group of Senators voted 52 to 44 to reject the EPA's CWA Jurisdiction Guidance, which would have also resulted in effectively unlimited jurisdiction over intrastate water bodies. Efforts to pass legislation to have the federal government control all non-navigable waters have also failed in past Congresses.

We urge you to change course by committing to operating under the limits established by Congress, recognizing the states' primary role in regulating and protecting their streams, ponds, wetlands and other bodies of water. We also again ask that you consider the economic impacts of your policies knowing that your actions will have serious impacts on struggling families, seniors, low-income households and small business owners.

Sincerely,

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Letter Signers:

In addition to Senator Barrasso, Rep. Pearce and Rep. Lummis, the attached letter was signed by Senators David Vitter (R-LA), Jim Inhofe (R-OK), Lisa Murkowski (R-AK), Dean Heller (R-NV), Mike Lee (R-UT), Pat Roberts (R-KS), Orrin Hatch (R-UT), John Thune (R-SD), Mike Crapo (R-ID), Roy Blunt (R-AR), Jerry Moran (R-KS), Deb Fischer (R-NE), John Cornyn (R-TX), John Hoeven (R-ND), Mike Johanns (R-NE), James Risch (R-ID) and Mike Enzi (R-WY) and Representatives Rob Bishop (UT-01), Markwayne Mullin (OK-01), Jeff Denham (CA-10), Mike Simpson (ID-02), Don Young (AK-AL), Walter Jones (NC-03), Matt Salmon (AZ-05), Scott Tipton (CO-03), Mike Conaway (TX-11), Mark Amadei (NV-02), Cory Gardner (CO-04), Jeff Duncan (SC-03), Chris Stewart (UT-02), Paul Gosar (AZ-04), Tom McClintock (CA-04), Kevin Cramer (ND-AL), Devin Nunes (CA-22), David Schweikert (AZ-06), Randy Neugebaurer (TX-19), Raul Labrador (ID-01), Kristi Noem (SD-AL), Doug Lamborn (CO-05), Trent Franks (AZ-08), Paul Broun (GA-10), Mike Coffman (CO-06), Jason Chaffetz (UT-03).

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Eades, Cassaundra

From:

Lewis, Josh

Sent:

Tuesday, May 27, 2014 1:08 PM Eades, Cassaundra; Mims, Kathy

Cc:

Mackay, Cheryl

Subject:

FW: Member Letter to Administrator McCarthy on Comment Period for upcoming GHG rule

Attachments:

Final GHG 120 day comment period letter.pdf

For CMS...

From: Orth, Patrick [mailto:Patrick.Orth@mail.house.gov]

Sent: Friday, May 23, 2014 2:37 PM **To:** Distefano, Nichole; Lewis, Josh

Cc: Baker III, John; Beukelman, Jan; Hart, Ryan (Rep. Jason Smith)

Subject: Member Letter to Administrator McCarthy on Comment Period for upcoming GHG rule

Nichole and Josh – attached is a letter from 178 bipartisan Members of the House asking 'for a comment period of at least 120 days on the forthcoming new source performance standards for existing coal-based power plants.' My boss, Mr. Johnson (OH), Mr. Thompson (MS), Mr. Smith, and Mr. Matheson were the 4 co-leads on the letter. I've copied the full list of names below since many signatures are hard to read. Please let us know if you have any questions and have a great holiday weekend.

Best regards,

Patrick

Patrick Orth Legislative Director Congressman Bill Johnson, OH-6 202-225-5705 patrick.orth@mail.house.gov

Bill Johnson

Bennie Thompson

Jason Smith

Matheson

Steve Daines

Dennis Ross

Walter Jones

Tom Rooney

Gene Green

Reid Ribble

Dave Jolly

Collin C. Peterson

Jim Costa

Kevin Cramer

Mario Diaz-Balart

Jeff Miller (FL)

Henry Cuellar

Randy Hultgren

David McKinley

Steve Southerland

Daniel Webster

Ted Yoho

John Duncan (TN)

Lee Terry

Steve Stivers

Ander Crenshaw

Stephen Fincher

Ed Perlmutter

Morgan Griffith

Sam Graves

Paul Broun

James Lankford

Vicky Hartzler

Billy Long

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Mac Thornberry

Dan Benishek

Steve King

Steven M. Palazzo

Jason Chaffetz

Phil Roe

Rob Bishop

Mike McIntyre

Robert Aderholt

Bob Gibbs

Dave Loebsack

Shelley Moore

Capito

David Joyce

Bill Huizenga

Mark Meadows

Gus Bilirakis

Alan Nunnelee

Trent Franks

Spencer Bachus

Pete P. Gallego

Jackie Walorski

Blaine

Luetkemeyer

Diane Black

Tom Reed

Patrick J. Tiberi

Cynthia Lummis

Mick Mulvaney

Gregg Harper

Aaron Schock

Ileana Ros-

Lehtinen

Howard Coble

Steve Pearce

Jeff Fortenberry

Ann Kirkpatrick

Keith Rothfus

Robert Pittenger

Cheri Bustos

David Scott

Tom Cole

Adam Kinzinger

Scott Garrett

Markwayne Mullin

Kristi Noem

Mike Rogers (AL)

Tim Walberg

Ann Wagner

Tom Graves

Mark Amodei

Charles Boustany

Rick Crawford

Ron Barber

Mike Conaway

Nick Rahall

Duncan Hunter

Jim Jordan

Cory Gardner

Sean Duffy

Jack Kingston

Tom Cotton

Tim Huelskamp

Scott DesJarlais

Marsha Blackburn

Lynn

Westmoreland

Lynn Jenkins

Steve Womack

Tim Griffin

Paul Gosar

Rob Woodall

Michele Bachmann

Austin Scott

Phil Gingrey

Tim Murphy

Sanford Bishop

Rich Nugent

Tom Rice

Martha Roby

David Schweikert

Don Young (AL)

Jim Renacci

Doug Collins (GA)

Doug Lamborn

John Barrow

Andy Barr

Mike Pompeo

Tom Petri

Tim Walz

Charlie Dent

Chuck Fleischmann

Steve Stockman

Frank Lucas

Chris Collins (NY)

William L. Enyart

Kristen Sinema

Scott Tipton

Thomas Massie

Mark Sanford

Brad Wenstrup

Ruben Hinojosa

Randy Neugebauer

Mike Coffman

Luke Messer

Richard Hudson

Jeff Duncan

John Kline

Larry Bucshon

Ron DeSantis

Adrian Smith

Todd Rokita

Todd Young

Glenn Thompson

Robert Hurt

G. K. Butterfield

Joe Wilson

Kurt Schrader

Randy Weber

Tom Marino

Chris Gibson

Brett Guthrie

Vern Buchanan

Terri Sewell

Raúl Labrador

Mike Simpson

Susan Brooks

Devin Nunes

Rodney Davis

Trey Gowdy

Bradley Byrne

Chris Stewart

Cedric L.

Richmond

Danny Davis

Tom Latham

Wm. Lacy Clay

Filemon Vila

Emanuel Cleaver

Renee Ellmers

Joyce Beatty

Virginia Foxx

Steve Chabot

Mike Turner

John Shimkus

Randy Forbes

Marlin Stutzman

May 22, 2014

The Honorable Gina McCarthy Administrator U.S. Environmental Protection Agency 1200 Pennsylvania Avenue, NW Washington, D.C. 20460

Dear Administrator McCarthy:

We are writing to request that the Environmental Protection Agency provide a sufficiently long comment period on its upcoming regulation of greenhouse gases from existing power plants. The Agency should provide at least a 120 day comment period, given the significant impact this rule could have on our nation's electricity providers and consumers, on jobs in communities that have existing coal-based power plants, and on the economy as a whole.

The upcoming proposal will necessarily be more complex for the industry to deal with than the proposal for new plants, and stakeholders will need time to analyze the rule and determine its impact on individual power plants and on the electric system as a whole. This analysis will be no small undertaking, especially since this will be the first ever regulation of greenhouse gases from existing power plants. Additionally, since the EPA extended the original 60 day comment period for the new plant proposal, it makes sense to provide at least the same timeline for the existing plant rule.

Affordable and reliable electricity is essential to the quality of life to our constituents. While we can all agree that clean air is important, EPA has an obligation to understand the impacts that regulations have on all segments of society. As one step toward fulfilling this obligation, we urge you to provide for a comment period of at least 120 days on the forthcoming new source performance standards for existing coal-based power plants.

Thank you for your consideration of this request.

Sincerely,

Senne ! Thompson

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June 12, 2014

Gina McCarthy Environmental Protection Agency Office of the Administrator #1101A 1200 Pennsylvania Ave, NW Washington, DC 20460

Dear Administrator McCarthy:

At the end of the 111th Congress, a bill sponsored by Congressmen Henry Waxman and Ed Markey that would have instituted a "cap-and-trade" system to regulate carbon emissions was rejected by the United States Senate.

We believe that the proposed draft regulation that your Agency published on Monday, June 2, 2014, entitled "Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units" seeks to achieve exactly what the United States Senate rejected. More importantly, we believe that the authority to limit carbon emissions, even if that were actually a necessity, rests in neither the Constitution nor the Clean Air Act but in the true free market of individual choices made by the American people. When Americans are free to dream and innovate – not coerced by regulators in Washington who will never have exclusive knowledge of science or the newest technologies – we believe they will always find cheaper, cleaner, safer, and more efficient ways to use and produce energy.

When we try to manage our economy to achieve certain ends, the result is always less innovation and therefore slower economic growth. The American Coalition for Clean Coal Electricity found that regulations with similar goals will cost 178,000 jobs each year for fifteen years. The Heritage Foundation estimates that the effect of this and other unnecessary regulations will decrease aggregate gross domestic product by more than \$2 trillion through 2038, and the average family will lose \$1,200 in annual income by 2023.

In short, Madame Administrator, we believe this carbon dioxide regulation – whose implementation is legally questionable at best – would do untold harm to the American people and our economy for decades to come.

We demand that you immediately rescind this unwise and unconstitutional regulation. We eagerly await your written response.

Blessings and Liberty,

Jeff Duncan Member of Congress Jeb Hensarling
Member of Congress

Bill Casaly Bill Cassidy Member of Congress Patrick Tiberi nthia Lummis Member of Congress Member of Congress Blake Farenthold Member of Congress Member of Congress Machbun Marsha Blackburn Tim Huelskamp Member of Congress Member of Congress Todd Rokita Member of Congress Pete Olson Brett Guthrie Member of Congress Member of Congress

Vance McAllister

Member of Congress

Chris Stewart

Paul Gosar Member of Congress	Dong LaMalfa Member of Congress
Luke Messer Member of Congress	Randy Weber Member of Congress
Ted Yoho Member of Congress	Doug Collins Member of Congress
Steve Stivers Member of Congress	Markwayne Mullin Member of Congress
Stephen Fincher Member of Congress	Steve Womack Member of Congress
David Schweikert Member of Congress	Mick Mulvaney Member of Congress
1	

Sam Johnson Member of Congress

Sean Duffy

State Southerland Member of Congress	Tim Griffin Member of Congress
Trey Gowey Member of Congress	Alan Nunnelee Member of Congress
Charles Boustany Member of Congress	Mark Meadows Member of Congress
Raul Labrador Member of Congress	Diane Black Member of Congress
Billy Long Member of Congress	Bill Johnson Member of Congress
Howard Coble Member of Congress	John Duncan Member of Longress
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Spencer Bachus Member of Congress

Member of Congress Member of Congress Ralph Hall Steve Chabot Member of Congress Member of Congress Michele Bachmann Member of Congress Member of Congress Thomas Massie Thomas Massie Member of Congress Member of Congress Paul C. Broun, M.D. Mike Coffman Member of Congress Member of Congress

James F. Sensenbrenner, Jr. Member of Congress

Bob Goodlatte

COMMITTEE ON ARMED SERVICES

COMMITTEE ON

Bridenstine.House.gov

Facebook.com/CongressmanJimBridenstine

Twitter.com/RepJBridenstine

SCIENCE, SPACE, AND TECHNOLOGY

216 CANNON HOUSE OFFICE BUILDING Washington, DC 20515 (202) 225-2211

2448 EAST 81ST STREET, SUITE 5150 Tulsa, Oklahoma 74137 (918) 935-3222

Congress of the United States House of Representatives

Washington, DC 20515-3601

June 19, 2014

The Honorable Gina McCarthy, Administrator U.S. Environmental Protection Agency 1200 Pennsylvania Avenue NW Washington, D.C. 20460

Dear Administrator McCarthy:

We write to you today regarding the proposed rule "Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units," released by the Environmental Protection Agency on June 2, 2014. We have serious concerns about the impact of this regulation on Oklahomans.

In 2013, coal-fired power plants sited within Oklahoma generated 13.3 million megawatt hours of electricity, according to the U.S. Energy Information Administration, accounting for 57 percent of the total output of all Oklahoma power plants. The EPA's proposed rule puts these plants at risk and could force shutdowns. Compulsory compliance will affect a significant number of Oklahomans, as not only will jobs at these plants be lost, but electricity prices will also increase as capacity is secured through less economical sources.

Congress has previously rejected legislative proposals to regulate CO₂ emissions. Because these proposals were rejected, this Administration has turned to the regulatory process to circumvent Congressional will. Your agency's proposed rule constitutes a massive overreach of authority driven by a political agenda. The purpose of the Clean Air Act is to regulate air pollutants; it was never intended to regulate common atmospheric gases such as CO₂. To the extent you succeed in shutting down existing generation capacity and increasing electricity prices, you will also succeed in diminishing the well-being and prosperity of Americans.

Coal-fired power plants are vital to the quality of life Oklahomans enjoy. Coal-generated power is by far the most economical source of electricity and a large reason why electricity rates in Oklahoma are 20 to 25 percent less than the national average. Your proposed rule would make everyday life for Oklahomans more expensive at a time when paychecks are already stretched thin. We respectfully request that EPA withdraw its proposed regulation to limit CO₂ emissions from existing power plants.

Sincerely,

Jim Inhofe

United States Senator

Bridenstine (OK-01) Member of Congress

Tom Cole (OK-04)

Member of Congress

Member of Congress

Markwayne Mullin (OK-02)

Tom Coburn

United States Senator

Frank Lucas (OK-03)

Member of Congress

Congress of the United States House of Representatives

Washington, DC 20515-2600

July 11, 2014

The Honorable Gina McCarthy Administrator, U.S. Environmental Protection Agency 1200 Pennsylvania Avenue Northwest Washington, D.C. 20460

Dear Administrator McCarthy:

We are writing to express our deep concerns with a recent Environmental Protection Agency (EPA) claim to have authority to "garnish non-Federal wages to collect delinquent non-tax debts owed the United States without first obtaining a court order."

This claim seems to violate American citizens' Constitutionally-guaranteed right to due process by placing the burden of proof on the debtor, rather than the agency. The process for challenging fines and wage garnishment is not satisfactory because it allows the agency to decide if the accused can even present a defense.

The increasingly punitive nature of the agency is also of concern. According to the agency's annual reports, the amount of fines collected by the EPA has gone from \$96 million in 2009 to \$252 million in 2013. Though we agree stakeholders must be responsible and the EPA should enforce rules reasonably, the more than 160 percent increase in a span of only four years indicates that some of these fines may have been excessive.

The EPA has said the rule was not subject to review because it is not a "significant regulatory action." But it has recently been reported that a Wyoming homeowner was threatened with a \$75,000 fine for building a pond on his property. That might seem like a drop in the bucket to a bureaucratic agency with a multi-billion dollar budget, but for the vast majority of Americans, \$75,000 is a lot of money. The proposed rule would make it both more difficult to dispute such fines and provide incentive for the EPA to issue penalties against more Americans. Its impact, therefore, would certainly create "significant" hardships on affected individuals.

The agency has fast-tracked the rule to take effect on September 2nd, 2014 absent sufficient opposing comment by August 1st, 2014. We are writing to voice our strongest opposition to the rule and the EPA's inadequate engagement with the public concerning it. Further, we ask that you reverse your decision and not follow through with this rule. By doing so, your agency will demonstrate respect for the right to due process under the law that is guaranteed to all Americans by the Constitution.

Sincerely,

Steve Daines (MT-AL) Member of Congress Cynthia Luminis (WY-AL) Member of Congress

PRINTED ON RECYCLED PAPER

Walter B. Jones (NC-03)
Member of Congress

Leonard Lance (NJ-07)
Member of Congress

Scott Perry (PA 99) Member of Congress

Mac Thornberry (TX-13)
Member of Congress

Kevin Cramer (ND- AL) Member of Congress

Rodney Davis (IL-13) Member of Congress

Tom McClintock (CA-04)
Member of Congress

Scott Tipton (CO-03) Member of Congress Tim Griffin (AR-02) Member of Congress

Robert Hur (VA-15) Member of Congress

Dan Benishek M.D. (MI-01) Member of Congress

Mike Pompeo (KS-04) Member of Congress

Jack Kingston GA-01)
Member of Congress

Tom Cotton (AR-04) Member of Congress

Markwayne Mullin (OK-02) Member of Congress

Lyan Jenkips (KS-02) Member of Congress Steve Womack (AR-03)
Member of Congress

Matt Salmon (AZ-05) Member of Congress

Bill Posey (FL-08) Member of Congress

Thomas Massie (KY 04)

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Bob Goodlatte (VA-06) Member of Congress Bol Dills

Bob Gibbs (OH-07)
Member of Congress

Michael T. McCaul (TX-10) Member of Congress

Ralph M. Hall

Ralph Hall (TX-04) Member of Congress

Gregg Marper (MS-03) Member of Congress

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Rick Crawford (AR-01) Member of Congress

J. Randy Forb's (VA-04) Member of Congress

Congress of the United States House of Representatives

Washington, DC 20515-2600

November 13, 2014

The Honorable Gina McCarthy Administrator U.S. Environmental Protection Agency 1200 Pennsylvania Avenue Northwest Washington, D.C. 20460

Dear Administrator McCarthy:

We respectfully request a 90-day comment period extension for the EPA and Army Corps of Engineers revision to the Clean Water Act definition of "Waters of the United States" proposed on April 21, 2014.

As you are aware, this proposal would expand federal jurisdiction under the CWA to include manmade conveyances, ditches, and ephemeral water streams. An expansion of this magnitude seems to give limitless jurisdiction and would drastically impact many of our constituents.

On September 9 2014, the House of Representatives passed H.R. 5078, the *Waters of the United States Regulatory Overreach Protection Act* with strong bipartisan support. This vote was a powerful reflection of the concerns of the American people about this proposal. We believe it is appropriate and critical for the EPA to extend the comment period to allow more Americans to fully express their views.

We appreciate your attention to this matter and look forward to your timely response.

Sincerely,

Steve Daines (MT-Al)

Member of Congress

Doug LaMalfa (CA-6)

Member of Congress

Rob Bishop (UT-019) Member of Congress

Paul A. Gosar, D.D.S. (AZ-04) Member of Congress

Steve Pearce (NM-02) Member of Congress

David Schweikert (AZ-06) Member of Congress

Don Young (AK-Al) Member of Congress

Aaron Schock (IL-18) Member of Congress

Justin Amash (MI-03) Member of Congress

Lamar Smith (TX-21)
Member of Congress

Lee (Terry (NE-02) Member of Congress

Randy Weber (TX-14) Member of Congress

Tom McClintock (CA-04) Member of Congress

Chris Stewart (UT-02) Member of Congress

Doug Amborn (CO-05)

Member of Congress

Mike Simpson (ID-02) Member of Congress

Jaime Herrera Beutler (WA-03) Member of Congress

Walter B. Jones (DC-03) Member of Congress

Jim Bridenstine (OK-01) Member of Congress Member of Congress Steve Southerland II (FL-02) Member of Congress Member of Congr Mick Mulvaney (SC-05) Adam Kinzinger (IL-16) Member of Congress Member of Congress Dan Benishek M.D. (MI-01) Member of Congress Member of Congress Steve Stockman (TX-36) Member of Congress Mike Kelly (PA-03) Member of Congress Markwayne Mullin (OK-02) Kevin Cramer (ND-Al) Member of Congress Member of Congress Robert B. Aderholt (Al-04) Member of Congress Member of Congress

Tim Huelskamp (KS-H) Member of Congress

Michael H. Humm Michael Grimm (NY-11) Member of Congress

Dana Rohrabacher (CA-48) Member of Congress

Vason Smith (MO-08) Member of Congress

Bill Huizenga (MI-02) Member of Congress

Charles W. Boustany Jr. M.I. (LA-03) Member of Congress

Billy Long (MO-92)
Member of Congress

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David McKinley, P.E. (WV-01) Member of Congress Arin Wagner (MO-92) Member of Congress

Louie Gohmert (TX-01)

Member of Congress

David G. Valadao (CA-21) Member of Congress

Joe Heck, D.O. (NV-03) Member of Congress

Mac Thornberry (TX-13)
Member of Congress

Jeb Hensarling (TX-05) Member of Congress

Mo Brooks (AL-05)
Member of Congress

Tom Marino (PA-10) Member of Congress

Mark Amodei (NV-02) Adrian Smith (NE-03) Member of Congress Member of Congress Cynthia Lummis (WY-Al) Member of Congress Cathy McMorris Rodgers Member of Congress Lou Barletta (PA-11) Member of Congress Doug Collins (GA-09) Member of Congress Member of Congress Doc Hastings (WA-04) Member of Congress Member of Congress Kristi Nøem (SD-Al) Tim Walberg (MI-0) Member of Congress Member of Congre Scott Tipton (CO-03) Bill Flores (TX-17) Member of Congress Member of Congress

Richard Hudson (NC-08)

Member of Congress

enn Thompson

Glenn "G.T." Thompson (PA-05)

Bill Cassidy M.D. (LA-06) Member of Congress

Col. Paul Cook (Ret.) (CA-08) Member of Congress

Jeff De ham (CA-10) Member of Congress

Dave Reichert (WA-08) Member of Congress

Alan Nunnelee (MS-01)
Member of Congress

Chris Collins (NY-27) Member of Congress

Trent Franks (AZ-08)
Member of Congress

Sam Johnson (TX-03)

Sam Johnson (TX-03) Member of Congress

Ken Calvert (CA-42) Member of Congress

Kevin McCarthy (CA-23)
Member of Congress

Mike Rogers (AL-03)
Member of Congress

Spencer Bachus (Al-06) Member of Congress

Richard Hanna (NY-22) Member of Congress

Mike Pompeo (KS-04)

Raúl Labrador (ID-01)

Member of Congress

Kevin Yoder (KS-03) Member of Congress Thomas Massie

Thomas Massie (KY-04) Member of Congress

Rodney Davis (IL-13)
Member of Congress

The Blackburn

Marsha Blackburn (TN-07) Member of Congress

Ted S. Yoho (FZ-03) Member of Congress

Stephen Fincher (TN-07) Member of Congress

Joe Wilson (SC-02) Member of Congress

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THE WHITE HOUSE OFFICE REFERRAL

January 16, 2015

TO: ENVIRONMENTAL PROTECTION AGENCY					
ACTION COMMENTS:					
ACTION REQUESTED:	DIRECT REPLY W/COPY				
REFERRAL COMMENTS:					
DESCRIPTION OF INCO	DMING:				
ID:	1157668				
MEDIA:	LETTER				
DOCUMENT DATE:	December 19, 2014				
TO:	PRESIDENT OBAMA				
FROM:	THE HONORABLE ED WHITFIELD U.S. HOUSE OF REPRESENTATIVES WASHINGTON, DC 20515				
SUBJECT:	EXPRESSES CONCERN REGARDING THE PROPOSED RULE ANNOUNCED BY EPA ON JUN 02 14 THAT WOULD CHANGE THE WAY THE WE GENERATE, TRANSMIT AND CONSUME ELECTRICITY IN THE U.S.				
COMMENTS:					

PROMPT ACTION IS ESSENTIAL -- IF REQUIRED ACTION HAS NOT BEEN TAKEN WITHIN 9 WORKING DAYS OF RECEIPT, UNLESS OTHERWISE STATED, PLEASE TELEPHONE THE UNDERSIGNED AT (202) 456-2590.

RETURN ORIGINAL CORRESPONDENCE, WORKSHEET AND COPY OF RESPONSE (OR DRAFT) TO: DOCUMENT TRACKING UNIT, ROOM 562, OFFICE OF RECORDS MANAGEMENT - THE WHITE HOUSE, 20500

THE WHITE HOUSE DOCUMENT MANAGEMENT AND TRACKING WORKSHEET



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DATE RECEIVED: December 22, 2014 CASE ID: 1157668

NAME OF CORRESPONDENT: THE HONORABLE ED WHITFIELD

SUBJECT: EXPRESSES CONCERN REGARDING THE PROPOSED RULE ANNOUNCED BY EPA ON JUN

02 14 THAT WOULD CHANGE THE WAY THE WE GENERATE, TRANSMIT AND CONSUME.

ELECTRICITY IN THE U.S.

MEDIA TYPE: LETTER

		ACTION		DISPOSITION			
ROUTE TO: AGENCY/OFFICE		(STAFF NAME)	CODE	DATE	TYPE RESPONSE	CODE	DATE COMPLETED
LEGISLATIVE AFFAIRS		KATIE FALLON	ORG	12/30/2014			
1	ACTION COMMENTS:						
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ACTION CODES DISPOSITION			
A = APPROPRIATE ACTION	TYPE RESPONSE	DISPOSITION CODES	COMPLETED DATE
B = RESEARCH AND REPORT BACK D = DRAFT RESPONSE I = INFO COPY/NO ACT NECESSARY R = DIRECT REPLY W/ COPY ORG = ORIGINATING OFFICE	INITIALS OF SIGNER (W.H. STAFF) NRN = NO RESPONSE NEEDED OTBE = OVERTAKEN BY EVENTS	A = ANSWERED OR ACKNOWLEDGED C = CLOSED X = INTERIM REPLY	DATE OF ACKNOWLEDGEMENT OR CLOSEOUT DATE (MM/DD/YY)

USER CODE:

KEEP THIS WORKSHEET ATTACHED TO THE ORIGINAL INCOMING LETTER AT ALL TIMES REFER QUESTIONS TO DOCUMENT TRACKING UNIT (202)-456-2590
SEND ROUTING UPDATES AND COMPLETED RECORDS TO OFFICE OF RECORDS MANAGEMENT - DOCUMENT TRACKING UNIT ROOM 562, EEOB.

Congress of the United States Washington, DC 20515

December 19, 2014

The Honorable Barack Obama President The White House 1600 Pennsylvania Avenue, N.W. Washington, DC 20500

Dear President Obama:

We write to express our concerns regarding the proposed rule announced by the Environmental Protection Agency on June 2, 2014 and entitled "Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units." This proposal is an unprecedented attempt by the EPA to change the way we generate, transmit and consume electricity in the United States by asserting new regulatory authorities over state electricity decision-making.

This unprecedented proposed rule would require states to submit individual or regional energy plans to be approved by EPA in order to achieve the agency's predetermined carbon dioxide emissions targets for each state. To comply with the rule, EPA directs states to consider including in their plans, and to make federally enforceable, a broad range of activities relating to a state's electricity sector. EPA specifically directs states to consider renewable energy standards, generation dispatch changes, co-firing or switching to natural gas, construction of new natural gas combined-cycle plants, transmission efficiency improvements, energy storage technology, plant retirements, expanding renewables like wind and solar, expanding nuclear, market-based trading programs, and demand-side energy efficiency and conservation programs. Under the rule, EPA would also have the ability to impose its own alternate federal energy plan on a state in the event EPA did not approve a state's plan. We agree that states should be free under their own laws to pursue these types of energy policies and activities within their own borders, but it is not the role of the EPA to exercise ultimate authority over a state's electricity system.

The continued affordability and reliability of our electricity supplies is critical to our nation's future economic growth, job creation, and to all American households and businesses. Due to market factors and existing environmental requirements, significant power plant shutdowns are already underway across the country, and these closures raise concerns about the continued reliability of the grid and electricity rates even in the absence of EPA's recently proposed rule. Under the proposed rule, EPA projects there would be additional power plant retirements and electricity rate increases. Were this to occur, these additional retirements and rate increases would further threaten electricity reliability and drive up energy costs for consumers, including the elderly, poor, and those on fixed incomes, at a time when over 50 million Americans are currently living in poverty.

Although the details of this proposed rule are still being considered by all stakeholders, the proposal threatens to impose huge burdens and challenges on states and higher costs on consumers. While our views on the statutory authority for carbon dioxide regulations vary, we are all concerned that this rule is simply unworkable as proposed and, if finalized, would effectively give EPA control over a state's generation, supply and consumption of power. Accordingly, we respectfully ask that you direct the EPA to withdraw its proposed rule as soon as practicable.

Sincerely,

1	Whit his		
Ed Whitfield	1		

Chairman, Energy and Power Subcommittee

Robert E. Latta Member of Congress

Tim Murphy

Member of Congress

Doug Lamborn Member of Congress

Member of Congress

James Sensenbrenner, Jr. 1ember of Congress

Member of Congress

Member of Congress

John Shimkus Member of Congress

Blaine Luetkemeyer Member of Congress

Mick Mulvaney

Member of Congress

Tim Walberg

Michael C. Burgess Member of Congress	Virginia Foxx Member of Congress
Louie Gohmert Member of Congress	Shelley More Capita Shelley Moore Capito Member of Congress Bett Suther
Jeb Mensarling Member of Congress	Brett Guthrie Member of Congress
Henry Chellar Member of Congress	Doug LaMalfa Member of Congress
Paul A. Gosar Member of Congress	Ann Wagner Member of Congress
Keith Rothfus Member of Congress	William L. Enyart Member of Congress
Steve Daines Member of Congress	John/Barrow Member of Congress
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Scott DesJarlais Member of Congress Tom Marino
Member of Congress

A Redoll mil B. Mtil David B. McKinley Nick J. Rahall, II Member of Congress Member of Congress Gregg Harper Richard Hudson Member of Congress Member of Congress homas Marsie Thomas Massie Member of Congress Member of Congress Scott Tipton Mike Rogers Member of Congress Member of Congress Lou Barletta Gus M. Bilirakis Member of Congress Member of Congress Member of Congress Larry Bucshon Glenn Thompson Member of Congress Member of Congress

Vicky Hartzler

Member of Congress

Kay Granger

Kevin Cramer Bill Flores Member of Congress Member of Congress H. Morgan Griffith Chris Collins Member of Congress Member of Congress David Schweikert Jason T. Smith Member of Congress Member of Congress Bill Huizenga Sam Johnson Member of Congress Member of Congress Brad R. Wenstrup Member of Congress Member of Congress Andy Barr Alan Nunnelee Member of Congress Member of Congress Susan W. Brooks Billy Long Member of Congress

Member of Congress

Member of Congress

James Lankford Member of Congress

Joe Wilson Member of Congress Member of Congress Dana Rohrabacher Member of Congress Member of Congress Lamar Smith Member of Congress Member of Congress Sean P. Duffy John/Fleming Member of Congress Member of Congress Mike Kelly Steve Stivers Member of Congress Member of Congress Randy K. Weber, Sr. Member of Congress Member of Congress 2655 W Walors K. Pete Sessions Jackie Walorski Member of Congress Member of Congress arha Bleerburn tianks

Member of Congress

Marsha Blackburn

Markwayne Mullin Member of Congress	David P. Joyce David P. Joyce Mcmber of Congress
Diane Black Member of Congress	Patrick J. Tiberi Member of Congress
Renee Etterers Member of Congress	Adam Kinzinger Member of Congress
Paul Cook Member of Congress	Mo Brooks Member of Congress
Reid J. Ribble Member of Congress	Andy Harris Member of Congress
Jeff Duncan Member of Congress	Kevin Brady Member of Congress
Mark E. Amodei Member of Congress	Phil Roe, M.D. Member of Congress

Member of Congress

Joseph R. Pitts Member of Congress

Mike Pomped Member of Congress

Joe Borton
Joe Barton
Member of Congress

Don Young
Member of Congress

Jim Jordan Member of Congress

Member of Congress

Fred Upton

J/Randy Forbes Member of Congress

Martha Roby

Member of Congress

Stephen Lee Fincher Member of Congress

8

Congress of the United States Washington, DC 20515

July 28, 2015

The Honorable Gina McCarthy Administrator U.S. Environmental Protection Agency 1200 Pennsylvania Avenue, N.W. Washington D.C., 20460

Dear Administrator McCarthy,

We are concerned that the Environmental Protection Agency (EPA) has proposed new ozone National Ambient Air Quality Standards (NAAQS) before completing implementation of the existing ozone standards. Between 1980 and 2013, U.S. Gross Domestic Product, population, and energy consumption grew substantially, while air emissions dropped significantly. Moving forward, EPA projects air quality will continue to substantially improve over the next ten years through various federal controls including state and industry efforts to implement the current 2008 ozone standard. EPA can support economic growth while continuing the decades-long trend towards cleaner air by maintaining the existing 75 ppb ozone standard and allowing time for our constituents to fully implement current clean air requirements.

EPA data indicates that the air is cleaner today than it has been in thirty years, progress due in large part to control measures associated with past NAAQS standards. This success shows that ozone NAAQS when given an opportunity to be fully implemented produce significant reductions. Companies seeking to build or expand facilities invest significantly in control processes. If a proposed standard cannot be met, nonattainment areas would be required to implement costly ozone-reduction measures and permitting requirements that could prove technologically difficult. Moreover, EPA acknowledges that there are alternative views on health effects evidence and risk information. Due to all these uncertainties, allowing the current standard to take full effect would alleviate any perceived concerns with measured scientific data and allow EPA time to further consider those uncertainties while still protecting air quality.

EPA's ozone rules affect all aspects of our communities and municipalities, including consumers and vital industries. EPA openly acknowledges that to meet national air quality standards a partnership is required between the federal government, states, localities and industry. Yet, the timing of EPA's proposal could strain state and local government resources. EPA delayed implementing the current 2008 standard for two years while it decided whether to reconsider that standard. EPA is just now providing states with guidance to implement the 2008 standard, and the state-federal clean air partnership should be allowed an opportunity to work.

Indeed, states are currently investing substantial administrative resources to make up lost time. It could prove burdensome to force states to implement a new ozone standard at the same time they are only starting to implement the current one. We believe allowing sufficient time for existing measures to take hold, before setting a new ozone standard, would yield the desired results EPA is currently seeking.

While we recognize that EPA is under court order to complete its review of the ozone NAAQS, EPA has requested comment on maintaining the existing standard. We believe the full implementation of a standard of 75 ppb is in line with EPA goals and the ideals set forth under the Clean Air Act and, could possibly, by the next five year review, achieve lower emissions standards than originally sought. It is clear from the past that ozone standards can only achieve the desired results if they are allowed time to be fully implemented. EPA should keep in mind the newly laid out requirements in the delayed 2008 ozone NAAQS when considering whether to finalize a new, potentially stricter, standard. Therefore, we request EPA allow time for the benefits of the current ozone standard to become effective by retaining the current ozone standard.

Sincerely,

Robert E. Latta Member of Congress Gene Green Member of Congress

Mike Kelly

Member of Congress

Pete Olson

Member of Congress

Ann Kirkpatrick

Member of Congress

Kevin Cramer

Member of Congress

Jim Bridenstine

Member of Congress

Kyrsten Sinema

Manuber of Congress

Reid Ribble Member of Congress

Bill Johnson

Member of Congress

Frank Lucas Member of Congress

Garrett Graves Member of Congress

Richard Hudson Member of Congress

David McKinley Member of Congress

mil B. M7 Ce

Member of Congress

Morgan Griffith Member of Congress

Glenn Grothman Member of Congress

Rodney Davis Member of Congress

Ruben Hinojosa

Member of Congress

Dan Newhouse Member of Congress

Steve Chabot

Member of Congress

Jim Renagci

The Honorable Gina McCarthy July 28, 2015

Page 4

Ralph Abraham Member of Congress

Gary Palma Member of Congress

Thomas Massie

Thomas Massie Member of Congress

Jim Costa Men ber of Congress

Earl "Buddy" Carter Member of Congress

Pete Sessions Member of Congress

Bill Flores Member of Congress Member of Congress

Mike Bost Member of Congress

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United States Senate

WASHINGTON, DC 20510-3603

Chairman
ARMED SERVICES

COMMITTEES

ENVIRONMENT AND

PUBLIC WORKS

July 24, 2015

Dr. Peter C. Grevatt, Director Office of Ground Water and Drinking Water U.S. Environment Protection Agency 1200 Pennsylvania Avenue, N.W. Washington, DC 20460

Re: Oklahoma Department of Environmental Quality's Request for Public Interest Waiver of American Iron and Steel Provisions

Dear Dr. Grevatt,

We write today in support of the Oklahoma Department of Environmental Quality's (ODEQ) request for a public interest waiver of the American Iron and Steel (AIS) Provisions for communities with a population of 10,000 or less.

As you know, the AIS provisions for the Drinking Water State Revolving Fund (DWSRF) were included in the Consolidated Appropriations Act of 2014. Unfortunately, the consequences of these provisions have caused an increase in project cost and a decline in small communities seeking SRF funding.

The ODEQ has found that the use of domestic iron and steel products can cost over 70% more than foreign made products, which in Oklahoma is estimated to increase the cost of design and construction by 3 to 4%. For smaller communities, this cost places a disproportionate burden on smaller systems' projects because they cannot absorb the increased cost like larger projects. These unintended consequences only prove detrimental to the SRF program and harmful to community progress.

The SRF programs in Oklahoma provide an important funding mechanism for improving the state's water quality and infrastructure. For this, we respectfully request that OWRB's waiver request be granted so that small communities can continue to utilize the program to its fullest

Sincerely,

James M. Inhofe

United States Senator

n-Closhop

James Lankford United States Senator

http://inhofe.senate.gov

Frank Lucas United States Representative

Steve Russell United States Representative

United States Representative

Congress of the United States

Mashington, DC 20515

July 31, 2015

The Honorable Gina McCarthy Administrator Environmental Protection Agency 1200 Pennsylvania Avenue NW Washington, D.C. 20460 The Honorable Dr. Ernest Moniz Secretary U.S. Department of Energy 1000 Independence Avenue SW Washington, D.C. 20585 The Honorable Tom Vilsack Secretary U.S. Department of Agriculture 1400 Independence Avenue SW Washington, D.C. 20250

Dear Administrator McCarthy, Secretary Moniz, and Secretary Vilsack:

We write to support biomass energy as a sustainable, responsible, renewable, and economically significant energy source. Federal policies across all departments and agencies must remove any uncertainties and contradictions through a clear, unambiguous message that forest bioenergy is part of the nation's energy future.

Many states are relying on renewable biomass to meet their energy goals, and we support renewable biomass to create jobs and economic growth while meeting our nation's energy needs. A comprehensive science, technical, and legal administrative record supports a clear and simple policy establishing the benefits of energy from forest biomass. Federal policies that add unnecessary costs and complexity will discourage rather than encourage investment in working forests, harvesting operations, bioenergy, wood products, and paper manufacturing. Unclear or contradictory signals from federal agencies could discourage biomass utilization as an energy solution.

The carbon neutrality of forest biomass has been recognized repeatedly by numerous studies, agencies, institutions, legislation, and rules around the world, and there has been no dispute about the carbon neutrality of biomass derived from residuals of forest products manufacturing and agriculture. Our constituents employed in the biomass supply chain deserve a federal policy that recognizes the clear benefits of forest bioenergy. We urge you to ensure that federal policies are consistent and reflect the carbon neutrality of these types of bioenergy.

Sincerely,

Reid J. Ribbte

Member of Congress

Bruce Poliquin \ Member of Congress

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Gregg Harper Member of Congress Kurt Schrader

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Sanford D. Bishop, Jr.

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Member of Congress Ted S. Yoho, DVM	Member of Congress David Young	Member of Congress Ryan K. Zinke
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November 4, 2015

The Honorable Gina McCarthy Administrator U.S. Environmental Protection Agency 1200 Pennsylvania Avenue, NW Washington, DC 20460

Dear Administrator McCarthy,

We write to express significant concern with the recently proposed 2016 Renewable Volume Obligations (RVO) under the Renewable Fuel Standard (RFS). The RVO as currently proposed would constitute a breach of the ethanol blendwall, which would cause adverse impacts on American consumers and the economy.

Congress expanded the RFS when it passed the Energy Independence and Security Act of 2007 (EISA). EISA mandated an annually increasing volume of biofuel to be blended and consumed in the nation's motor fuel supply, reaching 36 billion gallons of biofuels in 2022. In 2007, the market assumptions regarding the future of transportation fuels in the United States were very different from the realities of the market today. The Energy Information Administration (EIA) at the time projected motor gasoline demand to significantly rise through 2022¹. Since then, EIA has revised its 2007 projection of motor gasoline in 2022 downward by 27% and projects motor gasoline demand to continue to decline through 2035¹.

Increased fuel efficiency has led to shrinking gasoline demand. This current reality, coupled with an increasing biofuel blending level requirement, has exacerbated the onset of the E10 blendwall—the point at which the gasoline supply is saturated with the maximum amount of ethanol that the current vehicle fleet, marine and other small engines, and refueling infrastructure can safely accommodate. We agree with the EPA's conclusion in its first RVO proposal for 2014 and in its current proposal for 2014, 2015, and 2016 that the E10 blendwall is a binding constraint.

We are gravely concerned, however, that despite the Agency's recognition of the blendwall, the 2016 proposal acknowledges that it will be breached nonetheless. Specifically, EPA states that the 2016 RVO "includes volumes of renewable fuel that will require either ethanol use at levels significantly beyond the level of the E10 blendwall, or significantly greater use of non-ethanol renewable fuels than has occurred to date."

¹ Energy Information Administration, Annual Energy Outlook 2007-2015, Reference Case Table 11

² Federal Register, Vol. 80, No. 111, Wednesday, June 10, 2015, Proposed Rules (p.33102), EPA Renewable Fuel Standard Program: Standards for 2014, 2015, and 2016 and Biomass-Based Diesel Volume for 2017; Proposed Rule

Multiple studies have shown detrimental economic harm may be caused by breaching the E10 blendwall. A 2014 report on the RFS by the nonpartisan Congressional Budget Office concluded that requiring the volumes of biofuel in EISA, which would breach the blendwall, could increase the price of E10 gasoline by up to 26 cents per gallon³. NERA concludes in a July 27, 2015 study that "higher gasoline prices leave consumers with less disposable income⁴", further hindering economic growth. An RFS study by Charles River Associates concurs: "The result [of exceeding the blendwall] will be limited availability, higher consumer costs, and fewer sales of conventional transportation fuels⁵." This adverse economic harm falls hardest on America's lower income families.

EPA acknowledges that its 2016 RVO proposal would require significant greater use of E15 and E85 in order to meet the proposed mandate in 2016. Therefore, this proposal is problematic not only in principle, but it is also impractical since it would take decades, not months, to build out the compatible vehicle fleet and install the necessary retail infrastructure to accommodate the higher blends of ethanol. AAA calculates that only 5% of the vehicles on the road are approved to use E15⁶ and the EIA calculates that only 6% of vehicles can use E85⁷. The refueling retail infrastructure is even more limited with only 2% of retail stations selling E85⁸ and only 100 stations nationwide selling E15⁹.

Congress will continue its work toward a bipartisan solution to deal with the RFS. As this work continues, it is critical that EPA use its statutory authority to waive EISA's conventional biofuel volume to keep the blending requirements below the E10 blendwall, and to help limit the economic and consumer harm this program has already caused.

Sincerely,

Bill Flores

Member of Congress

Member of Congress

Die Flore

Peter Welch Member of Congress Bob Goodlatte Member of Congress

Steve Womack

Member of Congress

³ Congressional Budget Office, The Renewable Fuel Standard: Issues for 2014 and Beyond (June 2014)

⁴ NERA Economic Consulting, Economic Impacts Resulting from Implementation of RFS2 Program (July 2015)
⁵ Charles River Associates, Impact of the Blend Wall Constraint in Complying with the Renewable Fuel Standard (November 2011)

⁶ American Automobile Association, Press Release "New E15 Gasoline May Damage Vehicles and Cause Consumer Confusion" (December 2012)

⁷ Energy Information Administration, Annual Energy Outlook 2014

⁸ Fuels Institute, E85: A Market Performance Analysis and Forecast (2014)

⁹ Renewable Fuels Association data (www.ethanolrfa.org)

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The Honorable Gina McCarthy

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Lamar Smith	Ted Poe
Austin Scott	Mick Mulvaney
Frank A. LoBiondo	Tim Murphy

January 14, 2016

Administrator Gina McCarthy
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Office of the Administrator, 1101 A
Washington, DC 20460

Dear Administrator McCarthy,

In 1992, national governments around the world, including the United States, agreed to the United Nations Framework Convention on Climate Change (UNFCCC) as the framework for addressing variations in the global climate. Although there have been subsequent global climate treaties since the UNFCCC entered into force, the U.S. Senate has never ratified any treaty that places legally binding greenhouse gas emissions targets on the United States.

The Paris Protocol was negotiated from November 30 – December 11, 2015, at the 21st annual session of the Conference of Parties (COP 21) of the UNFCCC. The results of COP 21 were non-binding emissions reduction and finance commitments from participating governments. The United States cannot be legally bound to any global agreement that sets emissions targets or financial commitments without treaty ratification by the U.S. Senate.

Reports indicate that the U.S. Environmental Protection Agency (EPA) plans to embed U.S. federal employees in UNFCCC participating countries to monitor progress towards the COP 21 commitments. We respectfully request additional information on this plan to deploy U.S. federal employees to UNFCCC participating countries and pose the following three questions:

- 1. How many U.S. federal employees will be deployed to UNFCCC participating countries?
- 2. How long will these employees be deployed?
- 3. What will the cost of the deployment be to U.S. taxpayers?

We look forward to receiving your response by January 29, 2016.

Sincerely,

Markwayne Mullin

Member of Congress

Tim Murphy

Member of Congress

Congress of the United States

Washington, DC 20515

Marsha Blackburn Member of Congress

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John Shimkus Member of Congress

Joe Barton

Member of Congress

Jim Bridenstine

Member of Congress

Larry Bucshon, M.D. Member of Congress Michael C. Burgess, M.D. Member of Congress

Chris Collins

Member of Congress

Tom Cole

Member of Congress

Jeff Duncan

Member of Congress

Renee Ellmers

Member of Congress

Bill Flores

Member of Congress

Trent Franks

Member of Congress

Paul A. Gosar, D.D.S.

Member of Congress

H. Mongan Griffith Member of Congress

Brett Guthrie
Member of Congress

Gregg Harper Member of Congress

Richard Hudson Member of Congress Bill Huizenga Member of Congress

Bill Johnson Member of Congress

Robert E. Latta
Member of Congress

Frank D. Lucas Member of Congress David B. McKinley, P.E.
Member of Congress

Pete Olson

Member of Congress

Mike Pompeo Member of Congress

Congress of the United States

Mashington, DC 20515

Steve Russell

Member of Congress

Member of Congress

Bruce Westerman

Member of Congress

March 2, 2016

Gina McCarthy, Administrator Environmental Protection Agency 1200 Pennsylvania Ave. NW Washington, DC 20460

Dear Administrator McCarthy:

We are writing to express our strong concerns with the Interim Recommendations released by EPA on September 25, 2015 regarding environmental standards and ecolabels for use in federal procurement. We are disappointed to see that the recommendation for lumber and wood in construction excludes many American-grown forest products by recommending only those products certified to the Forest Stewardship Council (FSC).

We urge you to immediately revise this flawed action by adding recognition for wood products that are certified to the Sustainable Forestry Initiative (SFI) and the American Tree Farm System (ATFS) as recommended for federal purchasing for lumber and wood.

Across the United States, there are more than 82 million acres of forestland certified to either SFI or ATFS. This represents more than 70% of all certified forests in the U.S. ATFS and SFI certified forests are managed to provide a renewable timber resource, clean water, wildlife habitat, and numerous other public benefits. These forests also provide thousands of jobs in the forest sector and related industries.

By excluding SFI and ATFS standards from the recommended standards for federal procurement, the EPA is sending a terribly flawed and misinformed signal to the rest of the federal government, and to the private sector, which looks to the federal government for guidance on environmental purchasing.

The action discredits the use of wood in government construction. This makes no sense when wood is one of the best materials architects and engineers have for reducing greenhouse gas emissions and storing carbon in buildings. Wood is a cost-effective, energy-efficient, renewable and sustainable solution for building construction.

EPA's position is inconsistent with numerous other federal agencies that have recognized and supported the use of wood in building construction, including wood certified to SFI and ATFS alongside FSC. For example, the Department of Agriculture's BioPreferred Program, which EPA has acknowledged sets mandatory purchasing requirements for federal agencies, fully recognizes wood products and accepts all three forest certification programs. EPA's recommendation is even inconsistent with guidelines listed in other places on EPA's website.

Additionally, EPA failed to follow a fair and transparent process for determining which standards to recognize for wood and lumber, as this recommendation was never made available for public comment.

We urge you to rectify this flawed recommendation and issue a revision to your Interim Recommendations by adding SFI and ATFS to the certification list for lumber and wood.

Sincerely,

Gregg Harper Member of Congress

Kurt Schrader Member of Congress

Jaime Herrera Beutler Member of Congress

Sanford. Bishop, Jr. Member of Congress

Glenn Thompson
Member of Congress

Gwen Graham Member of Congress

Richard Hudson Member of Congress Cathy McMorris Rodgers Member of Congress

Martha Roby
Member of Congress

Collin C. Peterson Member of Congress

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Chellie Pingree Member of Congress

Dan Benishek M.D. Member of Congress Robert B. Aderholt Member of Congress

Mike Rogers
Member of Congress

ENERGY AND POWER

OVERSIGHT AND INVESTIGATIONS

2ND DISTRICT, OKLAHOMA

1113 LONGWORTH HOUSE OFFICE BUILDING WASHINGTON, DC 20515 (202) 225–2701

1 E CHOCTAW, SUITE 175 McALESTER, OK 74501 (918) 423-5951

3109 AZALEA PARK DRIVE MUSKOGEE, OK 74401 (918) 687–2533

Congress of the United States House of Representatives

Washington, **DC** 20515–3602

March 28, 2016

Janet G. Mccabe Mc-1301a Washington, DC 20460-0001

Dear Janet,

As a member of the Energy and Commerce committee, I'm working every day to hold the U.S. Environmental Protection Agency (EPA) accountable to Oklahomans.

I recently heard that the EPA has plans to send U.S. federal employees to other countries to help them identify and eliminate greenhouse gas emissions. When I first heard of the program, I sent a letter to EPA Administrator Gina McCarthy demanding more information, because I was disturbed by the possibility that your tax dollars could be used to push the Obama administration's radical climate agenda in other countries.

The EPA has refused to answer my questions in a timely manner, but I was recently given a chance to ask Administrator McCarthy my questions in person during an Energy and Commerce hearing. I reiterated the fact that several other members of Congress joined me in asking three simple questions: first, how many EPA employees is the agency planning to deploy overseas? Second, how long will they be deployed? And third, how much will it cost taxpayers?

I wasn't surprised when Administrator McCarthy couldn't provide me with answers to these questions during the hearing. I can assure you that I will continue to press her for answers, and I am constantly working to cut funding for the EPA, either in part or all together.

Are you interested in learning more about federal issues that impact you? Sign up for my weekly emails at mullin.house.gov. You can also follow me on Facebook at facebook.com/RepMullin.

It's an incredible honor and privilege to serve the communities and families I grew up and worked with my entire life. God bless!

Sincerely,

Markwayne Mullin Member of Congress

gokverne Milis

May 19, 2016

Administrator Gina McCarthy U.S. Environmental Protection Agency 1200 Pennsylvania Avenue, NW Office of the Administrator, 1101 A Washington, DC 20460

Dear Administrator McCarthy,

On January 14, 2016, the undersigned members of Congress wrote to you to request information about the U.S. Environmental Protection Agency's (EPA) plan to embed U.S. federal employees in countries that are part of the United Nations Framework Convention on Climate Change (UNFCCC). EPA's goal in embedding these employees abroad is apparently to help these countries monitor their progress towards meeting the non-binding emissions targets that were set at the 21st annual session of the Conference of Parties (COP 21). You discussed this plan in your comments before the Council on Foreign Relations in January, where you stated that your job "was to explain to countries that this isn't punishment, this is opportunities [sic] here[.]"

On April 22, 2016, over three months after we requested a response from you and one month after you personally committed to providing answers to our questions in a joint subcommittee hearing to discuss the EPA's budget request, we received a letter from Acting Assistant Administrator Janet McCabe. In this letter, the Acting Assistant Administrator indicated that the EPA itself does not plan to deploy U.S. federal employees overseas as a result of the 21st annual session of the Conference of Parties (COP 21). Rather, U.S. federal employees from several different agencies, including the Department of State, will "provide assistance" to UNFCCC participating countries to fulfill obligations under Article 4 of the UNFCCC.

Accordingly, we request a detailed explanation of the collaboration between the U.S. Department of State, the U.S. Agency for International Development (USAID), the EPA, and other U.S. government agencies related to the "capacity building" and "expert advice." As part of this explanation, we ask that you specifically include:

 A list of federal departments or agencies involved in the "collaboration" within the federal government to provide international assistance pursuant to the UNFCCC;

¹ Council on Foreign Relations Events, *U.S. Environmental Regulation After the Paris Climate Talks, A Conversation with Gina McCarthy*, Jan. 7, 2016, *available at http://www.cfr.org/united-states/us-environmental-regulation-after-paris-climate-talks/p37410* (last accessed April 20, 2016).

- 2. The total amount of federal dollars that have been spent to date, and the total amount of federal dollars that the Administration estimates will be spent over the next ten years, for providing assistance to other countries pursuant to the UNFCCC;
- 3. The number of federal employees currently working abroad in any agency that have any responsibilities related to the Paris accord, including the employing agency and type of work that is performed;
- 4. The number of federal employees that EPA or other federal agencies plan to deploy abroad that will have responsibilities related to the Paris accord over the next year, including the employing agency and type of work that is performed; and
- 5. A breakdown of the budgets for the EPA and the Department of State related to capacity building projects in other countries, which you committed to provide at the March 22 hearing.

Please provide your response to these questions as soon as possible, but by no later than June 10, 2016. If you have any questions, please contact Liz Payne of Congressman Mullin's staff at (202) 225-2701.

Sincerely,

Markwayne Mullin

Member of Congress

Member of Congress

Member of Congress

Tim Murphy

Member of Congress

Jim Bridenstine

Member of Congress

Michael C. Burgess, M.D.

Member of Congress

Member of Congress

Member of Congress

Paul A. Gosar, D.D.S. Member of Congress

Brett Guthrie Member of Congress

Brett Sather

Bill Johnson Member of Congress

fil B. M7 David B. McKinley, P.E. Member of Congress

Steve Russell Member of Congress Tom Cole

Member of Congress

Member of Congress

Richard Hudson Member of Congress

Frank D. Lucas Member of Congress

Mike Pompeo

Member of Congress

Jason Smith Member of Congress

Bruce Westerman

Member of Congress

Bruce Wester

June 23, 2016

The Honorable Gina McCarthy Administrator Environmental Protection Agency 1200 Pennsylvania Avenue, N.W. Washington, D.C. 20460

Dear Administrator McCarthy:

We write regarding the Supreme Court's orders granting applications from states and stakeholders to stay the "Clean Power Plan" (CPP) and your statements in a March 2016 congressional hearing on the implications of the Court's action. Specifically, we seek clarification to ensure that your statements do not result in states and other stakeholders expending scarce resources to unnecessarily comply with the CPP's deadlines. It is our belief that such actions would undermine the very purpose of the Court's orders.

As you know, five applications for relief were submitted to the Court, each requesting a stay of the CPP. One of those applications also explicitly requested "an immediate stay of EPA's rule, extending all compliance dates by the number of days between publication of the rule and a final decision by the courts, including this Court, relating to the rule's validity." Another asked that the CPP be "be stayed, and all deadlines in it suspended, pending the completion of all judicial review." Every brief opposing the applications acknowledged the requests to extend the compliance deadlines.

Moreover, long-held precedence recognizes that any request for stay carries with it the inherent tolling of all compliance deadlines if that stay were lifted. Thus, the Department of Justice stated in its brief, "In requesting a 'stay,' however, applicants . . . explicitly or implicitly ask this Court to toll all of the relevant deadlines set forth in the Rule, even those that would come due many years after the resolution of their challenge, for the period between the Rule's publication and the final disposition of their lawsuits" (emphasis added). In fact, the Department of Justice told the Court that granting the applications "would necessarily and irrevocably extend every deadline set forth in the Rule" (emphasis added).

On February 9, 2016 the Court issued five separate and virtually identical orders on the applications. Each order stated, "The application for a stay . . . is granted." We agree with the Department of Justice that in granting these applications without limitation, the Supreme Court both stayed the CPP and necessarily and irrevocably extended all related CPP compliance deadlines.

In a March 22, 2016 hearing before two House Energy and Commerce subcommittees, you were asked whether—if the CPP was upheld—the various compliance deadlines would also be extended by the amount of time equal to the completion of judicial review. In your response, you

stated, "Well that's not what the Supreme Court said, but we assume that the courts will make that judgement over time or will leave that to EPA to make their own judgement." When pressed further, you responded by saying, ". . . the Supreme Court didn't speak to that issue. The only thing they spoke to was the stay of the rule. They didn't speak to any tolling or what it meant in terms of compliance time."

As the Department of Justice's own conclusions make clear, the Court did speak to tolling when it granted the applications for relief that explicitly or implicitly requested the tolling of compliance deadlines. Those Court orders necessarily and irrevocably extended the CPP's deadlines, allowing states to hit "pause" on compliance measures during legal challenge of the CPP, so that states are not required to spend billions of dollars on immense, and in many cases irreversible, actions to implement a regulation that may never come. This harm is what drove petitioners to request relief from the Supreme Court in the first place.

We are concerned that your statements before Congress undermine the certainty that the American people deserve and the Supreme Court was seeking to provide when it granted applications to stay the CPP and toll its deadlines. If ambiguity here drives states and stakeholders to meet all CPP compliance deadlines anyway, then the Court's action will be meaningless.

In order to provide clarity to the states, utilities, and other critical stakeholders, we respectfully ask you to provide answers to the following questions:

- 1. Two of the applications for relief from the CPP submitted to the Supreme Court explicitly asked the Court to extend all CPP deadlines for a period equal to that of the stay. The Department of Justice concluded that all of the applications made the same request, if not explicitly, then implicitly. The Court granted these requests for relief without any limitation. How do you reconcile these facts with your claim that "the Court didn't speak to any tolling"?
- 2. Did any EPA official review the Department of Justice's brief in response to the applications before that brief was submitted to the Supreme Court?
- 3. At any point before the Supreme Court issued its orders on February 9, 2016, did any EPA official object to language in the Department of Justice's brief concluding that granting the stay "would necessarily and irrevocably extend every deadline set forth in the Rule"? Does EPA now disagree with that conclusion? If so, please provide EPA's official legal interpretation.
- 4. Is EPA relying on specific precedent to conclude the stay order does not toll all deadlines outlined in the final CPP rule? If so, include any such examples or case law in EPA's interpretive memo as requested in question 3 above.
- 5. If EPA does not disagree with the Department of Justice's conclusion that the relief requested and granted by the Court "necessarily and irrevocably" extends all CPP deadlines, then what steps is EPA taking to prepare to extend all CPP deadlines in the event the stay is lifted?

- 6. Why is it necessary for the Court's orders staying the CPP to "speak to any tolling" if, by the Department of Justice's own admission, those orders "implicitly," "necessarily," and "irrevocably" "extend every deadline set forth in the Rule"?
- 7. The Supreme Court stayed the CPP to prevent states and stakeholders from being irreparably harmed by the rule's deadlines during the judicial challenge. How would the Court's order protect states and stakeholders from irreparable harm if, upon reinstatement of the rule, those states and stakeholders did not receive an equivalent length of time to comply with the CPP?
- 8. EPA officials have stated the agency is developing regulations expressly related to and arising out of the final CPP, specifically the Clean Energy Incentive Plan (CEIP). The program is intrinsically linked to the implementation of the CPP and a public request for comment through issuing a proposed rule would effectively obligate stakeholders to the current CPP litigation to dedicate resources to study and comment on the proposed regulation. Given that the CEIP's fate is directly tied to the CPP litigation, what authority is the EPA relying on to conclude these actions do not contravene the Supreme Court's stay of CPP?

We look forward to your response on this matter.

Sincerely,

JOHN RATCLIFFE

Member of Congress

BRUCE WESTERMAN Member of Congress

MIMI WALTERS

Member of Congress

CXMHIA M. LUMMI

Member of Congress

DAV D B. MCKINLEY, P.E.

Member of Congress

mil B. M7

KEVIN CRAMER

Member of Congress



LOUIE GOHMERT
Member of Congress

WALTER B. JONES Member of Congress

DAVE BRAT Member of Congress

> LAMAR SMITH Member of Congress

BRADLEY BYRNE Member of Congress

COLLIN C. PETERSON Member of Congress BOB GIBBS
Member of Congress

PETE SESSIONS Member of Congress

STEVE RUSSELL Member of Congress

TRENT FRANKS Member of Congress

SEAN P. DUFY Member of Congress

BALRY LOUDERMILE

TOM GRAVES Member of Congress



KEITH ROTHFUS
Member of Congress

STEVE PEARCE Member of Congress

DAVID SCHWEIKERT Member of Congress

RALPH ABRAHAM, M.D. Member of Congress

Mo Brooks
Member of Congress

ANDY BARR Member of Convress Martha Mc Sally

MARTHA MCSALLY Member of Congress

DAVE TROTT Member of Congress

RYAN ZINKE Member of Congress

EVAN H. JENKINS Member of Congress

BILLY LONG
Member of Congress

RANDY WEBER Member of Congress

TRENT KELLY
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FRANK LUCAS
Member of Congress

JEFF DUNCAN Member of Congress

IIM RENACO

DIANE BLACK Member of Congress

JOE BARTON Member of Congress

Jackie WAL

JACKIE WALORSKI Member of Congress

PETER T. KING

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Jun Budenstine

STEVE KING Member of Congress

BRIAN BABIN

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TIM MURPHY

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Tim Muzzl

STEVE CHABOT
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JOHN CULBERSON Member of Congress

MICK MULVANEY Member of Congress

GARY PAYMER Member of Congress

SAM JOHNSON Member of Congress

HAROLD ROGERS Member of Congress

EARL L. "BUDDY" CARTER

Member of Congress

KEVIN YODER

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THOMAS J. ROONEY

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MIKE BISHOP

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LANN JENKINS, CPA

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MIKE ROGERS

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MICHAEL T. MCCAUL
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DAN NEWHOUSE Member of Congress

TOM EMMER
Member of Congress

MARSHA BLACKBURN Member of Congress

TOM MCCLINTOCK Member of Congress Randy Neugebon

RANDY NEUGEBAUER Member of Congress

TIM HUELSKAMP
Member of Congress

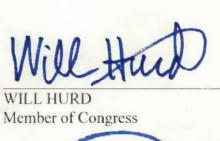
CATHY MCMORRIS RODGERS
Member of Congress

F. JAMES SENSENBRENNER, JR. Member of Congress

DAVID P. JOYCE
Member of Congress

TOM COLE Member of Congress

OHN J. DUNCAN, JR.





SCOTT DESJARLAIS, M.D. Member of Congress

MICHAEL C. BURGESS, M.D. Member of Congress

KEN BUCK Member of Congress

MATT SALMON Member of Congress

STEVE WOMACK Member of Congress

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JASON CHAFFETZ
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AUSTIN SCOTT Member of Congress

MARK WAYNE MULLIN Member of Congress KEVIN BRADY Member of Congress

Vicky Hartzler VICKY HARTZLER Member of Congress

DANA ROHRABACHER Member of Congress

BLAKE FARENTHOLD Member of Congress

SAM GRAVES Member of Congress

RANDY HULTCREN Member of Congress

KRISTY NOEM
Member of Congress

Daniel Webster Daniel Webster Member of Congress

Thomas Massie

THOMAS MASSIE Member of Congress

BILL FLORES
Member of Congress

TED POE Member of Congress BLAINE LUETKEME (ER/ Member of Congress

ADRIAN SMITH Member of Congress

DAN BENISHEK M.D. Member of Congress

DARIN LAHOOD Member of Congress

SUBCOMMITTEES ENERGY

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1113 Longworth House Office Building Washington, DC 20515 (202) 225–2701

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Congress of the United States House of Representatives

Washington, **BC** 20515-3602

May 12, 2017

The Honorable Scott Pruitt
Office of the Administrator
Environmental Protection Agency
William Jefferson Clinton Federal Building
1200 Pennsylvania Avenue N.W.
Washington, DC 20460

Dear Administrator Pruitt:

I am writing to request that the Environmental Protection Agency delay or forgo implementation of new requirements on Continental Carbon Company and Cabot Corps carbon black production facilities.

Under the previous Administration, the EPA implemented a national enforcement initiative to control emissions from carbon black manufacturers. These costly requirements were to be industry-wide, however, Continental Carbon and Cabot Corps were the only two companies out of the five competitors in the industry that face these requirements.

Continental Carbon and Cabot have each already made substantial investments as required by their settlements with the EPA. However, if they do not meet their September 2018 and June 21 deadlines, they could be forced to shut down. The EPA will be running these two companies out of business. Continental Carbon employs more than 300 people in Oklahoma, Alabama, and Texas, investing \$140 million in their local communities. More than 1,500 people work for Cabot in Oklahoma, Louisiana, and Texas. They have facilities in my district in Pryor, Oklahoma and bring in more than \$360 million annually to the communities they are in.

The actions of the previous administration have created an uneven playing field. For this reason I am asking you to delay or forgo these costly requirements that have the possibility of shutting down facilities and costing Oklahoma millions of dollars.

Sincerely,

Markwayne Mullin Member of Congress

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Congress of the United States Washington, DC 20515

April 20, 2018

Mr. William H. Wehrum
Assistant Administrator
U.S. Environmental Protection Agency
Office of Air and Radiation
Mail Code: 6101A
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Dear Assistant Administrator Wehrum:

From time to time, as part of our oversight responsibilities, Congress reviews previously enacted statutes to address unintended consequences as well as overall effectiveness. As part of that review, Congress looks to Executive branch agencies responsible for a statute's implementation for information and guidance. Recently, Administrator Pruitt highlighted that EPA, "...must strive to meet the directives and deadlines that Congress set forth in our governing environmental statutes..." In the interest of efficient government and assisting in the goal of meeting deadlines and directives set by Congress, we write to seek a better understanding of EPA's prior success in meeting deadlines required by the Clean Air Act (CAA).

Congress constructed the CAA in a manner that imposes upon the U.S. Environmental Protection Agency a nondiscretionary duty to regularly revisit and, if appropriate, revise air regulations for certain pollutants and sources to improve our nation's air quality. Over time, the CAA nondiscretionary review requirements have grown to encompass hundreds of pollutants and source categories.

Many of these mandatory duties are included in the following sections:

(1) CAA Section 109 requires EPA to review the National Ambient Air Quality Standards (NAAQS) for criteria pollutants² at five-year intervals;³

¹ See E. Scott Pruitt, Administrator, US Environmental Protection Agency, "Adhering to the Fundamental Principles of Due Process, Rule of Law, and Cooperative Federalism in Consent Decrees and Settlement Agreements" Memo to Assistant Administrators, Regional Administrators and Office of General Counsel (October 16, 2017), available at https://www.epa.gov/sites/production/files/2017-

^{10/}documents/signed memorandum in support of consent decree and settlement agreement oct162017 pdf

² See 40 C.F.R. Part 50. The six criteria pollutants include: lead, carbon monoxide, ground-level ozone, nitrogen dioxide, sulfur dioxide, and particulate matter.

³ 42 U.S.C. §7409(d)(1) stating "Not later than December 31, 1980, and at five-year intervals thereafter, the Administrator shall complete a thorough review of the criteria published under section 7408 of this title and the national ambient air quality standards promulgated under this section and shall make such revisions in such criteria and standards and promulgate such new standards as may be appropriate in accordance with section 7408 of this title and subsection (b) of this section."

- (2) CAA Section 111 requires EPA to review New Source Performance Standards (NSPS) for each established source category (currently around 100⁴) at least every 8 years;⁵ and
- (3) CAA Section 112 established a program to regulate 187 hazardous air pollutants from various source categories⁶ under the National Emission Standards for Hazardous Air Pollutants (NESHAP) program. Each NESHAP must be reviewed no less often than every 8 years.⁷ EPA is also required by the CAA to conduct a residual risk assessment within 8 years of the initial promulgation of each NESHAP.⁸

In addition to imposing mandatory duties upon EPA to act in the CAA, Congress provided limited causes of action for citizens to sue and compel EPA to proceed with its mandatory duties. A report by the U.S. Government Accountability Office (GAO)⁹ analyzed the impact of these deadline suits on EPA's promulgation of rulemakings under a limited set of circumstances and within a 5 year period.

In that report, EPA admits difficulty in meeting nondiscretionary review deadlines imposed upon it by the CAA. Specifically:

"Additionally, according to officials, as a result of the experience in responding to the deadline suits, [EPA] is striving to maintain the 5-year statutory review cycle for criteria pollutants going forward. However, officials noted that <u>it is difficult for EPA to complete its NAAOS reviews every 5 years.</u>" (Emphasis Added). 10

While it is worthwhile for EPA to review the effectiveness of its regulations from time to time, we question whether the specific deadlines Congress imposed on EPA in the CAA decades ago are the most efficient method of meeting our environmental goals. Failing to meet a statutorily imposed deadline does not mean that a regulation is failing to improve environmental quality. In fact, many regulations subject to mandatory reviews are adequately reducing levels of pollution and may not warrant revision.

We are concerned whether these statutory deadlines are diverting resources away from programs and initiatives that are truly needed to improve environmental quality, such as the enforcement of existing regulations or development of regulations not subject to statutory deadlines.

⁴ See 40 C.F.R. Part 60 for complete list.

⁵ 42 U.S.C. §7411(b)(1)(B) stating "The Administrator shall, at least every 8 years, review and, if appropriate, revise such standards following the procedure required by this subsection for promulgation of such standards.

⁶ See 40 C.F.R. Part 61 and 40 C.F.R. Part 63. There are currently over 150 existing source categories for which a NESHAP has been promulgated.

⁷ See 42 U.S.C. 7412(d)(6) stating "The Administrator shall review, and revise as necessary (taking into account developments in practices; processes, and control technologies), emission standards promulgated under this section no less often than every 8 years."

⁸ 42 U.S.C. §7412(f)(2)(A) requiring "... the Administrator shall, within 8 years after promulgation of standards for each category or subcategory of sources pursuant to ... [42 U.S.C. §7412(d)]... promulgate standards for such category or subcategory if promulgation of such standards is required in order to provide an ample margin of safety to protect public health in accordance with this section (as in effect before November 15, 1990) or to prevent, taking into consideration costs, energy, safety, and other relevant factors, an adverse environmental effect."

⁹ U.S. Government Accountability Office, Report to Congressional Requesters "Environmental Litigation: Impact of Deadline Suits on EPA's Rulemaking is Limited," (December 2014).

¹⁰ U.S. Government Accountability Office (December 2014) at 15.

Further, a recent analysis of EPA's success in meeting nondiscretionary review deadlines during the 10-year period from 1993 to 2013, if true, is troubling. Specifically, between 1993 and 2013 the analysis claims:

"[...] EPA has promulgated 200 final regulations pursuant to [Clean Air Act §109, §111 and §112]. Of these 200 regulations, only four – a mere 2 percent—were promulgated on or before their statutorily defined deadlines. On average, the late regulations were promulgated 2,072 days after the statutory deadline." 11

In order to gain a full understanding of EPA's abilities to meet the requirements imposed upon it by the CAA, please provide the following no later than XXXX, XX 2018:

- (1) A list of the original date of enactment for each NAAQS for the six criteria pollutants lead, carbon monoxide, ground-level ozone, nitrogen dioxide, sulfur dioxide, and particulate matter as required under CAA §109.
 - a. Subsequent to the initial promulgation of each NAAQS, provide a list of dates each NAAQS was due for review under the CAA between the finalization of each initial NAAQS rulemaking and 2016. (i.e., a list of the CAA §109(d)(1) 5 year review deadline dates).
 - b. Has EPA met each CAA§109(d)(1) NAAQS review deadline for each NAAQS as required by the CAA?
 - c. For each NAAQS, provide the actual time taken to complete the required review relative to the due date established under the CAA.
- (2) Provide a list of the original date of enactment for each NSPS source category promulgated under CAA §111.
 - a. Subsequent to the initial promulgation of each NSPS for each of the source categories, please provide a list of dates each NSPS was due for review under the CAA between the finalization of the initial NSPS rulemaking and 2016 (i.e., a list of the CAA §111(b)(1)(B) 8 year NSPS review deadlines).
 - b. Has EPA met the CAA §111(b)(1)(B) NSPS review deadlines for each NSPS source category every 8 years as required under the CAA? If no, please list each deadline EPA failed to meet.
 - c. For each NSPS source category, provide the actual time taken to complete each NSPS review relative to the due date established under the CAA.
- (3) Provide a list of the original date of enactment for each NESHAP source category promulgated under CAA §112.
 - a. Subsequent to the initial promulgation of each NESHAP source category, please provide a list of dates that each NESHAP category was due for review under the CAA between

William Yeatman, "ÉPA's Woeful Deadline Performance Raises Questions about Agency Competence, Climate Change Regulations, 'Sue and Settle'," report July 10, 2013, at 1, available at https://cei.org/web-memo/epas-woeful-deadline-performance-raises-questions-about-agency-competence-climate-change-re (last visited January 5, 2018).

- finalization of the initial NESHAP and 2016 (i.e., a list of the CAA §112(d)(6) 8 year NESHAP review deadlines).
- b. Has EPA met the CAA §112(d)(6) 8 year review deadline for each NESHAP category? If no, please list each deadline EPA failed to meet.
- c. For each NESHAP source category provide the actual time taken to complete each review relative to the due date established under the CAA.
- d. Subsequent to the initial promulgation of each NESHAP, please provide a list of dates that EPA was required to promulgate a Residual Risk Review pursuant to CAA §112(f)(2)?
- e. Has EPA met each CAA §112(f)(2) 8 year Residual Risk Review deadline as required by the CAA? If no, please list each deadline EPA failed to meet.
- f. For each of the NESHAP Risk Reviews that have been completed, provide the actual time taken to complete each NESHAP Risk Review relative to the due date established under the CAA.
- (4) Provide an explanation, as well as copies of any relevant documents, explaining EPA's internal method of tracking each deadline EPA is responsible for meeting under CAA §109, §111 and §112.

We look forward to your prompt response to this request. Please have your staff contact Alec Zender with Representative Hollingsworth's office with any questions concerning this request.

Sincerely,

Trey Hollingsworth

Member of Congress

Bob Latta

Member of Congress

Member of Congress

Lamar Smith

Sour Cramer

Kevin Cramer

Kevin Cramer Member of Congress

Ralph Abraham Member of Congress

Billy Long
Member of Congress

Markwayne Mullin Member of Congress Jim Banks Member of Congress

Randy Weber

Member of Congress

Member of Congress

Bill Flores

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Congress of the United States Washington, DC 20515

June 7, 2018

The Honorable Scott Pruitt Administrator U.S. Environmental Protection Agency William Jefferson Clinton Building 1200 Pennsylvania Avenue, NW Washington, DC 20460

Dear Administrator Pruitt:

In 2015, the Environmental Protection Agency (EPA) established updated regulations for the operation and maintenance of underground storage tanks (UST's). Proper UST operations are vital to preventing fuel releases into the environment. Unfortunately, portions of the 2015 regulations, specifically 40 CFR 280.35, impose an overwhelming financial and strategic burden on fuel retailers, particularly small businesses, by requiring excessive labor and infrastructure investments over a short period of time. Therefore, we request that the EPA extend its previously established compliance deadline of October 13, 2018 to October 13, 2024.

Notwithstanding the compliance flexibility provided through consensus industry standards, we consider that extending the deadline for initial testing in 40 CFR 280.35 is warranted. First, we have been informed that much of the equipment used in existing UST systems was not designed, manufactured, and installed to be tested in the manner in which these EPA regulations require (vacuum, pressure, or liquid testing). We understand that fuel retailers operating UST's require a longer period of time in order to make the necessary adjustments and equipment upgrades in preparation for the testing and inspection protocol. Additionally, as the October 2018 deadline approaches, we are concerned that many operators may have difficulty in finding enough qualified contractors to prepare the equipment to be tested and inspectors to perform the required testing. Therefore, we believe these challenges will make it problematic for owners and operators to achieve timely compliance.

We also understand the EPA's new periodic inspection mandate for overfill prevention equipment is also concerning. For the majority of overfill prevention devices, there are no recommended manufacturer inspection methods that currently exist, and the one available code of practice requires the removal of the overfill prevention device to facilitate the inspection. Removal of existing overfill prevention equipment that has not been previously removed or tested is likely to damage the previously functioning device beyond repair. While we appreciate that Section 9005(c) of the Solid Waste Disposal Act requires inspections of UST systems every three years, the Administrator retains some discretion about the specifics of those inspections. Extending the compliance deadline for this specific area to October 2024 allows small businesses, acting in good faith, more time to get this equipment removed

and replaced. After this time, small business owners will have the option to install new, and recently commercially available, overfill prevention equipment capable of being tested in place.

I am sure we can all agree that regulations should be designed to protect the environment through reasonable requirements, not consist of infeasible rules that pile up violations and increase fine collections. By delaying the testing and inspection requirements until October 13, 2024, we can provide these small businesses with the proper time they need to meet the new EPA requirements

Sincerely,

Tim Walberg
Member of Congress

David B. McKinley, P.E. Member of Congress

Chris Collins Member of Congress

Gregg Harper Member of Congress

Kevin Cramer Member of Congress

Leonard Lance Member of Congress

Earl L. 'Buddy' Carter Member of Congress Cathy McMorris Rodgers Member of Congress

Bill Johnson

Member of Congress

Brett Guthrie Member of Congress

Jose Duncan

Member of Congress

Bill Flores

Member of Congress

Robert E. Latta

Member of Congress

Susan Brooks

Carry Buckhon, M.D. Member of Congress

Pete Olson

Member of Congress

Richard Hudson

Member of congress

Markwayne Mullin Member of Congress

Lynn Jenkins CPA Member of Opngress

Michael C. Burgess M.D. Member of Congress

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Congress of the United States Washington, DC 20515

March 18, 2019

The Honorable Andrew R. Wheeler Administrator U.S. Environmental Protection Agency

The Honorable William L. Wehrum Assistant Administrator for Air and Radiation U.S. Environmental Protection Agency 1200 Pennsylvania Avenue, NW Washington, DC 20460

Re: Docket ID No. EPA-HQ_OAR-2013-0495, EPA's inquiry on proposing a Subcategorized Emissions Standard for Simple Cycle Combustion Turbines

Dear Administrator Wheeler and Assistant Administrator Wehrum:

We are writing to ask for the U.S. Environmental Protection Agency (EPA) to support common-sense regulation that enhances power diversity, lowers emissions, and enhances grid reliability in the Southwest Power Pool (SPP). Our constituents rely on the SPP to manage the electric grid in the states where they live and work. SPP bears a critically important obligation to maintain the reliability of that grid which covers fourteen states, covering 546,000 square miles, running from North Dakota down to the northern parts of Texas. The SPP operates a competitive market-based dispatch function to insure the most economic electric power is provided with optimum efficiency and environmental stewardship. The states that comprise the SPP contain enormous renewable energy resources. As those renewable energy resources grow the problem of managing reliability in the electric grid becomes more pronounced.

SPP relies on a portfolio of diverse fuels and technologies to manage the reliability and economy of electricity supplied to the 17.5 million people living in the SPP region. One of the increasingly needed tools to manage the intermittency of renewables is the use of simple cycle combustion turbines. These turbines rapidly respond to the atmospheric factors that can result in speedy unpredicted reductions in wind and solar generation. As opposed to the hours it may take for more traditional generation capacity to ramp up, the new class of simple cycle combustion turbines can be spun up to full power within minutes. This is an operating feature that makes them singularly suitable to counter the intermittency problem inherent in renewable generation.

The SPP's need to have a "quick start" response capability to address the intermittency challenge will only increase as wind generation grows from 20,000 megawatts to a predicted 70,000 megawatts The SPP planning process projects that there will be a need for an additional

5,000 megawatts of simple cycle combustion turbines by 2029 to confidently manage the reliability challenges associated with the forecasted volume of wind generation on the system. Adjusting the current Section 111(b) rules is imperative to successfully maintaining system reliability and economic dispatch even while reducing emissions.

EPA's current 111(b) regulations restrict the operation of such new combustion turbines to around 40 percent of their annual output capability. Actual recent experience with the operation of several such units in the SPP clearly demonstrates 111(b)'s constrictive interference. When these units are unavailable due to EPA's restrictive 111(b) rules, the SPP has to call on the next set of resources in the economic dispatch order which are less efficient and higher emitting.

The SPP and many electric generators throughout the region agree that relief from this artificial restriction is justified. We ask for the EPA to provide SPP with flexibility in the 111(b) rules, and believe that relief is warranted to achieve sound public policy from an environmental, energy and economic perspective. Thank you for your attention to this important matter.

Respectfully,

Markwayne Mullin

Member of Congress

Frank Lucas

Member of Congress

Kendra Horn

Member of Congress

Steve Watkins

Member of Congress

Roge Marshall

Member of Congress

Tom Cole

Member of Congress

Kevin Hern

Member of Congress

Kelly Armstrong

Member of Congress

Dusty Johnson

Congress of the United States

Washington, DC 20510

August 24, 2016

Administrator Gina McCarthy Environmental Protection Agency 1200 Pennsylvania Avenue, NW Washington, DC 20460

Dear Administrator McCarthy:

Both the Arkansas and Oklahoma delegations remain interested in the progress being made regarding water quality within the Illinois River Watershed. Monitoring in Arkansas and Oklahoma provides strong scientific evidence that excess nutrient levels continue to fall, as numerous investments kickin to reduce phosphorous loading. However, there is still work to be done and the two states are engaged in a productive joint study of phosphorous levels in the watershed to ensure the most accurate and appropriate phosphorus standard is applied going forward. We write to urge the EPA to renew its commitment to work cooperatively with state agencies, tribes, and the many other diverse stakeholders who share an interest in the Illinois River. In particular, we write regarding the status of the EPA's Project for Water Quality Modeling and TMDL Development for the Illinois River Watershed.

The Clean Water Act's TMDL process can serve as one mechanism to define the work that remains to be accomplished, but only if that process is scientifically sound and guided by the states that will ultimately have to manage its outcomes. The EPA has made assurances that states, tribes, and other stakeholders are a part of the process and that EPA will make future deliverables and the model available for review at key points in the project before the model is finalized. The input and buy-in of watershed stakeholders is a crucial part of the process as many of them have borne and will continue to bear the responsibility and cost of reducing phosphorus levels in the Illinois River watershed.

Last year, the EPA announced that it "is making available the Illinois River Watershed Modeling Program." The announcement continued that "EPA has completed its internal calibration and validation of both model's operating systems, and has completed an independent peer review of the Modeling Program." Based on input we've received from our constituents, we're concerned at this point that the models developed to form the basis of the TMDL are flawed and unsuitable for the high stakes decisions that must be made in our respective states. We recognize that the EPA has been working with both states to address the concerns that have been raised and it is our hope that internal calibration and validation of the models' operating systems will not be completed prior to full consideration of comments and feedback received following the release of the Modeling Program. EPA Region 6 and the contractor must have the full resources necessary to reopen, recalibrate, and revalidate the models in response to comments, including significant science-based feedback, that have been provided to the agency.

Accordingly, we would like to receive a thorough written response in order to get an update from EPA on its plans to rectify what we currently understand is a flawed process. Included in this update, we would like to know what EPA is doing to address the mutual concerns raised by both of our states, EPA's plans for finalizing its models and soliciting additional stakeholder input prior to

utilizing the models for TMDL development, the proposed process for including the states and stakeholders in assigning load reductions and other measures within the TMDL development process, and EPA's proposed timeline for accomplishing all these tasks.

It's important to reiterate that due to ongoing efforts, notable water quality improvements are continuing in the absence of TMDLs and additional regulations. These significant decreases in phosphorous loads are because communities and landowners in Arkansas and Oklahoma have made significant investments in water infrastructure, nutrient management plans, and volunteer efforts through community-supported non-profit groups like the Illinois River Watershed Partnership.

We believe a great deal more phosphorus will be removed from the watershed in the future, but only through the cooperative efforts of the states and watershed stakeholders. Finalizing TMDLs or other regulatory measures without addressing the significant concerns raised by the states or enlisting the help and support of watershed stakeholders could easily undermine all the great progress made todate. It is only through sound science supported by the experts within our state environmental agencies and reasonable controls supported by our communities and industries that we will continue to make significant progress in improving water quality in our shared watershed.

Thank you for your attention to this letter. We request that you act upon the concerns we have raised and provide a thorough written response to address these concerns and requests as quickly as possible. Please do not hesitate to contact us with any questions or concerns you may have.

Sincerely,

John Boozman,

U.S. Senator

Tom Cotton,

U.S. Senator

Steve Womack,

Member of Congress

Jim Inhofe,

U.S. Senator

James Lankford,

U.S. Schator

Markwayne Mullin,



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6 1445 ROSS AVENUE, SUITE 1200 DALLAS, TEXAS 75202 – 2733

Office of the Regional Administrator

August 9, 2013

The Honorable Markwayne Mullin Member, U.S. House of Representatives 104 South Muskogee Claremore, Oklahoma 74017

Dear Congressman Mullin:

Thank you for your letter of June 27, 2013, to the U.S. Environmental Protection Agency regarding the application of the Lead and Copper Rule in the state of Oklahoma. Your letter was forwarded to me for reply because Oklahoma falls within the jurisdiction of Region 6.

The Oklahoma Department of Environmental Quality has submitted several Lead and Copper Rule consecutive system monitoring plans to the EPA for consideration. Unfortunately, the plans submitted did not meet the EPA's monitoring standards. For this reason the Poteau Valley Improvement Authority and the Consecutive Public Water Supply Systems that purchase water from PVIA will be required to establish new monitoring sites within each individual distribution system.

In the future, if the ODEQ submits a Standard Operating Procedure to Region 6 detailing how a modified monitoring strategy for consecutive systems could be implemented in a manner that provides equal protection for all public water system customers, Region 6 may be able to allow the ODEQ to reconsider consecutive water system monitoring requirements.

Lead and Copper Rule reduced monitoring is allowed for individual public water systems after two consecutive six-month monitoring periods if:

- The 90th percentile for lead does not exceed 0.005mg/L
- The 90th percentile for copper does not exceed 0.65 mg/L

The ODEQ letter dated May 20, 2013, provides a detailed explanation of this situation. If you have any questions, please contact me at (214) 665-2100, or your staff may contact Ms. LaWanda Thomas, Congressional Liaison, at (214) 665-7466.

Sincerely.

Ron Curry

Regional Administrator



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION 6 1445 ROSS AVENUE, SUITE 1200 DALLAS, TEXAS 75202 – 2733

Office of the Regional Administrator

April 9, 2014

The Honorable Markwayne Mullin House of Representatives Washington, D.C. 20515

Dear Congressman Mullin:

Thank you for your letter of December 17, 2013, to the U.S. Environmental Protection Agency requesting a delay in implementation of new water quality testing procedures under the Lead and Copper Rule, based on concern with associated costs to small Rural Water Districts. Your letter was forwarded to me for reply because Oklahoma falls within the jurisdiction of Region 6.

The EPA shares your concern that costs associated with drinking water regulatory monitoring, designed to protect human health, should not be too burdensome to smaller sized public water systems. It is important to note that in 2012 the EPA established a small public water system priority goal, designed to bolster small water system regulatory compliance with all drinking water regulations in a cost effective manner, using the Capacity Development Program and Area Wide Optimization Program.

Regarding Lead and Copper Rule monitoring, it is important to understand this monitoring of drinking water began in 1993. The EPA has revised the Lead and Copper Rule a number of times to increase the health benefits of the rule while also reducing the monitoring and implementation burden of the rule. The EPA is revising the Lead and Copper Rule again and will likely propose long term revisions in 2016.

A provision in current drinking water regulations that may be of interest to small rural water districts involves consideration of combined distribution systems as one system for compliance monitoring purposes. State agencies may allow such combined distribution system monitoring, after the EPA concurs on the state approach. Region 6 will be happy to work with the Oklahoma Department of Environmental Quality to develop and implement a consecutive public water system monitoring approach that is representative of combined distributions, thereby realizing cost savings to consecutive public water systems while still protecting the health of all associated public water system consumers.

While the EPA is not delaying implementation of Lead and Copper Rule monitoring, we are happy to work collaboratively with appropriate state agencies to consider reduced monitoring under existing regulations.

If you wish to discuss this issue further, please contact me at (214) 665-2100, or your staff may contact Ms. LaWanda Thomas, Congressional Liaison, at (214) 665-7466.

Ron Curry Regional Administrator

Congress of the United States Washington, DC 20515

November 4, 2015

The Honorable Gina McCarthy Administrator U.S. Environmental Protection Agency 1200 Pennsylvania Avenue, NW Washington, DC 20460

Dear Administrator McCarthy,

We write to express significant concern with the recently proposed 2016 Renewable Volume Obligations (RVO) under the Renewable Fuel Standard (RFS). The RVO as currently proposed would constitute a breach of the ethanol blendwall, which would cause adverse impacts on American consumers and the economy.

Congress expanded the RFS when it passed the Energy Independence and Security Act of 2007 (EISA). EISA mandated an annually increasing volume of biofuel to be blended and consumed in the nation's motor fuel supply, reaching 36 billion gallons of biofuels in 2022. In 2007, the market assumptions regarding the future of transportation fuels in the United States were very different from the realities of the market today. The Energy Information Administration (EIA) at the time projected motor gasoline demand to significantly rise through 2022¹. Since then, EIA has revised its 2007 projection of motor gasoline in 2022 downward by 27% and projects motor gasoline demand to continue to decline through 2035¹.

Increased fuel efficiency has led to shrinking gasoline demand. This current reality, coupled with an increasing biofuel blending level requirement, has exacerbated the onset of the E10 blendwall—the point at which the gasoline supply is saturated with the maximum amount of ethanol that the current vehicle fleet, marine and other small engines, and refueling infrastructure can safely accommodate. We agree with the EPA's conclusion in its first RVO proposal for 2014 and in its current proposal for 2014, 2015, and 2016 that the E10 blendwall is a binding constraint.

We are gravely concerned, however, that despite the Agency's recognition of the blendwall, the 2016 proposal acknowledges that it will be breached nonetheless. Specifically, EPA states that the 2016 RVO "includes volumes of renewable fuel that will require either ethanol use at levels significantly beyond the level of the E10 blendwall, or significantly greater use of non-ethanol renewable fuels than has occurred to date."

¹ Energy Information Administration, Annual Energy Outlook 2007-2015, Reference Case Table 11

² Federal Register, Vol. 80, No. 111, Wednesday, June 10, 2015, Proposed Rules (p.33102), EPA Renewable Fuel Standard Program: Standards for 2014, 2015, and 2016 and Biomass-Based Diesel Volume for 2017; Proposed Rule

Multiple studies have shown detrimental economic harm may be caused by breaching the E10 blendwall. A 2014 report on the RFS by the nonpartisan Congressional Budget Office concluded that requiring the volumes of biofuel in EISA, which would breach the blendwall, could increase the price of E10 gasoline by up to 26 cents per gallon³. NERA concludes in a July 27, 2015 study that "higher gasoline prices leave consumers with less disposable income⁴", further hindering economic growth. An RFS study by Charles River Associates concurs: "The result [of exceeding the blendwall] will be limited availability, higher consumer costs, and fewer sales of conventional transportation fuels⁵." This adverse economic harm falls hardest on America's lower income families.

EPA acknowledges that its 2016 RVO proposal would require significant greater use of E15 and E85 in order to meet the proposed mandate in 2016. Therefore, this proposal is problematic not only in principle, but it is also impractical since it would take decades, not months, to build out the compatible vehicle fleet and install the necessary retail infrastructure to accommodate the higher blends of ethanol. AAA calculates that only 5% of the vehicles on the road are approved to use E15⁶ and the EIA calculates that only 6% of vehicles can use E85⁷. The refueling retail infrastructure is even more limited with only 2% of retail stations selling E85⁸ and only 100 stations nationwide selling E15⁹.

Congress will continue its work toward a bipartisan solution to deal with the RFS. As this work continues, it is critical that EPA use its statutory authority to waive EISA's conventional biofucl volume to keep the blending requirements below the E10 blendwall, and to help limit the economic and consumer harm this program has already caused.

Sincerely,

Bill Flores

Member of Congress

Member of Congress

Rice Flore

Peter Welch

Member of Congress

Bob Goodlatte

Member of Congress

Steve Womack

³ Congressional Budget Office, The Renewable Fuel Standard: Issues for 2014 and Beyond (June 2014)

⁴ NERA Economic Consulting, *Economic Impacts Resulting from Implementation of RFS2 Program* (July 2015) ⁵ Charles River Associates, Impact of the Blend Wall Constraint in Complying with the Renewable Fuel Standard

⁽November 2011)

⁶ American Automobile Association, Press Release "New E15 Gasoline May Damage Vehicles and Cause Consumer Confusion" (December 2012)

⁷ Energy Information Administration, Annual Energy Outlook 2014

⁸ Fuels Institute, E85: A Market Performance Analysis and Forecast (2014)

⁹ Renewable Fuels Association data (www.ethanolrfa.org)

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The Honorable Gina McCarthy Page 13

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REGION 6 1445 ROSS AVENUE, SUITE 1200 DALLAS, TEXAS 75202 – 2733

September 13, 2016

Office of the Regional Administrator

The Honorable John Boozman United States Senate Washington, D.C. 20510

Dear Senator Boozman:

Thank you for your letter dated August 24, 2016, to Ms. Gina McCarthy, Administrator, U.S. Environmental Protection Agency, concerning your interest in the progress being made regarding water quality within the Illinois River Watershed. Your letter was forwarded to me as Arkansas and Oklahoma fall under my jurisdiction.

The EPA is pleased to share with you that we remain fully committed to the cooperative approach you describe, and to underscore that our commitment has never wavered in that regard since we began this project in late November 2009. Moreover, the EPA would be happy to elaborate on information regarding recent progress on developing a model for the Illinois River Watershed, progress that is the direct result of our having worked closely with our state and tribal partners.

Over the last six months, the EPA has convened four meetings with representatives of stakeholder agencies to discuss and work through technical comments/concerns based on their reviews of the modeling reports. The agencies represented in this technical workgroup include: the Arkansas Natural Resources Commission; the Arkansas Department of Environmental Quality; the Oklahoma Conservation Commission; the Oklahoma Water Resources Board; the Oklahoma Department of Environmental Quality; and, the Oklahoma Department of Agriculture, Food, and Forestry. In addition, Mr. Tom Elkins of the Cherokee Nation and Dr. Brian Haggard of the Arkansas Water Resources Center (University of Arkansas) participate. We have had energetic discussions around many issues including, for example, those related to rainfall; spatial and temporal application of litter; inconsistencies in simulated versus monitored flow, especially in consideration of drought conditions that existed in parts of 2005-2006; and additional sources of nutrients in the watershed, to name just a few. These discussions have been informative and helpful in guiding the Agency to include and accommodate a number of changes to improve both the watershed and lake models.

The EPA welcomes all stakeholder comments provided both before and during the upcoming formal public participation process, and continues to be open and transparent regarding our progress in developing the Illinois River Watershed models. The EPA's public release of various modeling reports and our overall engagement with the broad spectrum of stakeholders reflects the EPA's recognition of the significant public interest in our model development efforts. Enclosed is a copy of our recent correspondence with the Northwest Arkansas Regional Planning Commission as an example of our efforts to address stakeholder comments while we continue working to refine the models. The EPA has also received a number of comments from industry representatives and their consultants.

Many of these stakeholder comments present the same or similar issues as those raised in comments made by members of the technical workgroup. Thus, we have been considering and we continue to address both municipal and industrial stakeholder concerns as we work through the issues raised by the technical workgroup.

As the EPA continues our efforts to develop and refine the Illinois River and Lake Tenkiller models, we remain fully committed to the use of sound science and appropriate modeling methodologies, as well as to the principles of public involvement in decision-making. Therefore, to ensure the models we provide are scientifically defensible and reflect public review and input, we intend to engage watershed stakeholders and the general public this fall to provide an overview of the watershed and lake models and to request public comments on both. We anticipate making the revised models available for the public review and comment, and we will continue to engage our technical workgroup as we make any additional changes based upon stakeholder and public comments submitted, including but not limited to any concerns regarding the model's calibration and validation.

After the EPA has thoroughly considered all public, stakeholder, and workgroup comments, our intent is to provide our partner agencies a set of water quality models supported by a rigorous technical basis for the eventual development of total maximum daily loads. However, the EPA will not suggest any wasteload or load allocations without thoroughly consulting with principal representatives of key agencies in both states. As mentioned in your letter, infrastructure investments, implementation of nutrient management plans, and other efforts by communities and landowners already have contributed to a degree of water quality improvement in the Illinois River Watershed. More remains to be done so that both state's water quality standards can be met and all designated uses can be restored, and we look forward to continuing our support for future efforts.

If you have any questions, please contact me at (214) 665-2100, or your staff may contact Mr. Cary Martindale, Congressional Liaison, at (214) 665-8147.

Sincerely,

Ron Curry Regional Administrator

Enclosure

Identical letters sent to:

The Honorable Jim Inhofe United States Senate

The Honorable Tom Cotton United States Senate

The Honorable James Lankford United States Senate

The Honorable Steve Womack House of Representatives

The Honorable Markwayne Mullins House of Representative



REGION 6 1445 ROSS AVENUE, SUITE 1200 DALLAS, TEXAS 75202 – 2733

September 13, 2016

Office of the Regional Administrator

The Honorable Jim Inhofe United States Senate Washington, D.C. 20510

Dear Senator Inhofe:

Thank you for your letter dated August 24, 2016, to Ms. Gina McCarthy, Administrator, U.S. Environmental Protection Agency, concerning your interest in the progress being made regarding water quality within the Illinois River Watershed. Your letter was forwarded to me as Arkansas and Oklahoma fall under my jurisdiction.

The EPA is pleased to share with you that we remain fully committed to the cooperative approach you describe, and to underscore that our commitment has never wavered in that regard since we began this project in late November 2009. Moreover, the EPA would be happy to elaborate on information regarding recent progress on developing a model for the Illinois River Watershed, progress that is the direct result of our having worked closely with our state and tribal partners.

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As the EPA continues our efforts to develop and refine the Illinois River and Lake Tenkiller models, we remain fully committed to the use of sound science and appropriate modeling methodologies, as well as to the principles of public involvement in decision-making. Therefore, to ensure the models we provide are scientifically defensible and reflect public review and input, we intend to engage watershed stakeholders and the general public this fall to provide an overview of the watershed and lake models and to request public comments on both. We anticipate making the revised models available for the public review and comment, and we will continue to engage our technical workgroup as we make any additional changes based upon stakeholder and public comments submitted, including but not limited to any concerns regarding the model's calibration and validation.

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If you have any questions, please contact me at (214) 665-2100, or your staff may contact Mr. Cary Martindale, Congressional Liaison, at (214) 665-8147.

Sincerely,

Regional Administrator

Enclosure

Identical letters sent to:

The Honorable John Boozman United States Senate

The Honorable Tom Cotton United States Senate

The Honorable James Lankford United States Senate

The Honorable Steve Womack House of Representatives

The Honorable Markwayne Mullins House of Representatives



REGION 6 1445 ROSS AVENUE, SUITE 1200 DALLAS, TEXAS 75202 – 2733

September 13, 2016

Office of the Regional Administrator

The Honorable Tom Cotton United States Senate Washington, D.C. 20510

Dear Senator Cotton:

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After the EPA has thoroughly considered all public, stakeholder, and workgroup comments, our intent is to provide our partner agencies a set of water quality models supported by a rigorous technical basis for the eventual development of total maximum daily loads. However, the EPA will not suggest any wasteload or load allocations without thoroughly consulting with principal representatives of key agencies in both states. As mentioned in your letter, infrastructure investments, implementation of nutrient management plans, and other efforts by communities and landowners already have contributed to a degree of water quality improvement in the Illinois River Watershed. More remains to be done so that both state's water quality standards can be met and all designated uses can be restored, and we look forward to continuing our support for future efforts.

If you have any questions, please contact me at (214) 665-2100, or your staff may contact Mr. Cary Martindale, Congressional Liaison, at (214) 665-8147.

Sincerel^{*}

Regional Administrato

Enclosure

Identical letters sent to:

The Honorable John Boozman

United States Senate

The Honorable Jim Inhofe United States Senate

The Honorable James Lankford

United States Senate

The Honorable Steve Womack House of Representatives

The Honorable Markwayne Mullins House of Representatives



REGION 6 1445 ROSS AVENUE, SUITE 1200 DALLAS, TEXAS 75202 – 2733

September 13, 2016

Office of the Regional Administrator

The Honorable James Lankford United States Senate Washington, D.C. 20510

Dear Senator Lankford:

Thank you for your letter dated August 24, 2016, to Ms. Gina McCarthy, Administrator, U.S. Environmental Protection Agency, concerning your interest in the progress being made regarding water quality within the Illinois River Watershed. Your letter was forwarded to me as Arkansas and Oklahoma fall under my jurisdiction.

The EPA is pleased to share with you that we remain fully committed to the cooperative approach you describe, and to underscore that our commitment has never wavered in that regard since we began this project in late November 2009. Moreover, the EPA would be happy to elaborate on information regarding recent progress on developing a model for the Illinois River Watershed, progress that is the direct result of our having worked closely with our state and tribal partners.

Over the last six months, the EPA has convened four meetings with representatives of stakeholder agencies to discuss and work through technical comments/concerns based on their reviews of the modeling reports. The agencies represented in this technical workgroup include: the Arkansas Natural Resources Commission; the Arkansas Department of Environmental Quality; the Oklahoma Conservation Commission; the Oklahoma Water Resources Board; the Oklahoma Department of Environmental Quality; and, the Oklahoma Department of Agriculture, Food, and Forestry. In addition, Mr. Tom Elkins of the Cherokee Nation and Dr. Brian Haggard of the Arkansas Water Resources Center (University of Arkansas) participate. We have had energetic discussions around many issues including, for example, those related to rainfall; spatial and temporal application of litter; inconsistencies in simulated versus monitored flow, especially in consideration of drought conditions that existed in parts of 2005-2006; and additional sources of nutrients in the watershed, to name just a few. These discussions have been informative and helpful in guiding the Agency to include and accommodate a number of changes to improve both the watershed and lake models.

The EPA welcomes all stakeholder comments provided both before and during the upcoming formal public participation process, and continues to be open and transparent regarding our progress in developing the Illinois River Watershed models. The EPA's public release of various modeling reports and our overall engagement with the broad spectrum of stakeholders reflects the EPA's recognition of the significant public interest in our model development efforts. Enclosed is a copy of our recent correspondence with the Northwest Arkansas Regional Planning Commission as an example of our efforts to address stakeholder comments while we continue working to refine the models. The EPA has also received a number of comments from industry representatives and their consultants.

Many of these stakeholder comments present the same or similar issues as those raised in comments made by members of the technical workgroup. Thus, we have been considering and we continue to address both municipal and industrial stakeholder concerns as we work through the issues raised by the technical workgroup.

As the EPA continues our efforts to develop and refine the Illinois River and Lake Tenkiller models, we remain fully committed to the use of sound science and appropriate modeling methodologies, as well as to the principles of public involvement in decision-making. Therefore, to ensure the models we provide are scientifically defensible and reflect public review and input, we intend to engage watershed stakeholders and the general public this fall to provide an overview of the watershed and lake models and to request public comments on both. We anticipate making the revised models available for the public review and comment, and we will continue to engage our technical workgroup as we make any additional changes based upon stakeholder and public comments submitted, including but not limited to any concerns regarding the model's calibration and validation.

After the EPA has thoroughly considered all public, stakeholder, and workgroup comments, our intent is to provide our partner agencies a set of water quality models supported by a rigorous technical basis for the eventual development of total maximum daily loads. However, the EPA will not suggest any wasteload or load allocations without thoroughly consulting with principal representatives of key agencies in both states. As mentioned in your letter, infrastructure investments, implementation of nutrient management plans, and other efforts by communities and landowners already have contributed to a degree of water quality improvement in the Illinois River Watershed. More remains to be done so that both state's water quality standards can be met and all designated uses can be restored, and we look forward to continuing our support for future efforts.

If you have any questions, please contact me at (214) 665-2100, or your staff may contact Mr. Cary Martindale, Congressional Liaison, at (214) 665-8147.

Sincerely.

Regional Administrator

Enclosure

Identical letters sent to:

The Honorable John Boozman United States Senate

The Honorable Tom Cotton United States Senate

The Honorable Jim Inhofe United States Senate

The Honorable Steve Womack House of Representatives

The Honorable Markwayne Mullins House of Representatives



REGION 6 1445 ROSS AVENUE, SUITE 1200 DALLAS, TEXAS 75202 – 2733

September 13, 2016

Office of the Regional Administrator

The Honorable Steve Womack Hose of Representatives Washington, D.C. 20515

Dear Congressman Womack:

Thank you for your letter dated August 24, 2016, to Ms. Gina McCarthy, Administrator, U.S. Environmental Protection Agency, concerning your interest in the progress being made regarding water quality within the Illinois River Watershed. Your letter was forwarded to me as Arkansas and Oklahoma fall under my jurisdiction.

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Sincerely,

Ron Curry
Regional Administrator

Enclosure

Identical letters sent to:

The Honorable John Boozman

United States Senate

The Honorable Tom Cotton United States Senate

The Honorable Jim Inhofe United States Senate

The Honorable James Lankford United States Senate

The Honorable Markwayne Mullins House of Representatives



REGION 6 1445 ROSS AVENUE, SUITE 1200 DALLAS, TEXAS 75202 – 2733

September 13, 2016

Office of the Regional Administrator

The Honorable Markwayne Mullins Hose of Representatives Washington, D.C. 20515

Dear Congressman Mullins:

Thank you for your letter dated August 24, 2016, to Ms. Gina McCarthy, Administrator, U.S. Environmental Protection Agency, concerning your interest in the progress being made regarding water quality within the Illinois River Watershed. Your letter was forwarded to me as Arkansas and Oklahoma fall under my jurisdiction.

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If you have any questions, please contact me at (214) 665-2100, or your staff may contact Mr. Cary Martindale, Congressional Liaison, at (214) 665-8147.

Sincerely,

Ron Curry

Regional Administrator

Enclosure

Identical letters sent to:

The Honorable John Boozman United States Senate

The Honorable Jim Inhofe United States Senate

The Honorable Steve Womack House of Representatives

The Honorable Tom Cotton United States Senate

The Honorable James Lankford United States Senate



WASHINGTON, D.C. 20460

September 17, 2021

OFFICE OF AIR AND RADIATION

The Honorable Markwayne Mullin U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Mullin:

Thank you for your August 9, 2021, letter to U.S. Environmental Protection Agency (EPA) Administrator Michael Regan regarding implementation of the American Innovation and Manufacturing (AIM) Act. The Administrator asked that I respond on his behalf.

EPA published its proposed rule in the *Federal Register* to establish the hydrofluorocarbon (HFC) allowance allocation and trading program under the AIM Act on May 19, 2021. During the public comment period, which ended on July 6, 2021, we received input from a wide range of stakeholders, including but not limited to producers, importers, and users of HFCs, who voiced their positions on issues including the ones raised in your letter. Taking into careful consideration a number of factors including comments and information provided by the public, EPA is working to complete the final rule establishing an HFC allowance allocation and trading program by the September 23, 2021 statutory deadline prescribed by Congress in the AIM Act. Issuance of the rule will also allow the Agency to meet the AIM Act's statutory directive to issue allowances by October 1, 2021, for calendar year 2022.

We appreciate your continued interest in the rule. Information on the rule and other regulatory initiatives related to the AIM Act are available on our website at https://www.epa.gov/climate-hfcs-reduction.

Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Patricia Haman in EPA's Office of Congressional and Intergovernmental Relations at haman.patricia@epa.gov or (202) 564-2806.

deeth forfiman acting Assistant Administrator



WASHINGTON, D.C. 20460

September 17, 2021

OFFICE OF AIR AND RADIATION

The Honorable Gus M. Bilirakis U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Bilirakis:

Thank you for your August 9, 2021, letter to U.S. Environmental Protection Agency (EPA) Administrator Michael Regan regarding implementation of the American Innovation and Manufacturing (AIM) Act. The Administrator asked that I respond on his behalf.

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Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Patricia Haman in EPA's Office of Congressional and Intergovernmental Relations at haman.patricia@epa.gov or (202) 564-2806.

Sincerely,

Joseph Goffman

Acting Assistant Administrator



1200 Sixth Avenue, Suite 900 Seattle, WA 98101-3140

OFFICE OF THE REGIONAL ADMINISTRATOR

JM 2 3 2016

The Honorable Dan Newhouse U.S. House of Representatives Washington, D.C. 20515

The Honorable Brad Ashford U.S. House of Representatives Washington, D.C. 20515

Dear Representative Newhouse and Representative Ashford:

Thank you for your April 20, 2016, letter to United States Environmental Protection Agency Administrator Gina McCarthy regarding the EPA's Cooperative Agreement with the Northwest Indian Fisheries Commission and a sub-award made under that Cooperative Agreement by NWIFC to the Swinomish Indian Tribal Community for a "Non-Point Pollution Public Information and Education Initiative." The Administrator asked that I respond on her behalf.

The EPA places a high value on collaboration with our partners in the agricultural and tribal communities. We are particularly proud of the work we've done in the Pacific Northwest with the agriculture community and the tribes in seeking -- and frequently finding -- common ground on issues such as water quality monitoring, scientific research and uplands restoration projects.

Puget Sound in northwest Washington is an estuary of national significance under the U.S. Clean Water Act National Estuary Program. The EPA provides expertise and financial assistance to state, local and tribal governments to support research and restoration projects that help implement the State of Washington's Puget Sound Action Agenda. This Action Agenda serves as the state's Comprehensive Conservation and Management Plan required under the Clean Water Act National Estuary Program.

In support of the Action Agenda, EPA Region 10 awarded a cooperative agreement to the NWIFC in 2010, to support the work of 21 federally recognized Puget Sound tribes and tribal consortia who implement protection and restoration projects consistent with the Puget Sound Action Agenda. The Swinomish Tribe is one of the sub-recipients and, accordingly, received annual incremental funding for an education and outreach project focused on the critical need to reduce non-point source water pollution to protect Puget Sound water quality and critical salmon habitat. Four Pacific salmon species in Puget Sound are listed as threatened under the Endangered Species Act, in turn threatening the treaty-reserved rights of many Puget Sound tribes to harvest this natural resource so central to their communities, economies, and cultures.

The Swinomish Tribe's project included building a public information and awareness website. The EPA engaged with the Commission and the Swinomish Tribe over the past five years to discuss proposed annual work plans and some specific tasks such as the website. EPA has provided technical assistance and coordination in the form of comments and recommendations. However, a cooperative agreement is fundamentally different from a contract and the EPA does not have the ability to direct the content of the

work product of a grantee or sub-recipient in the same manner as a contractor. In addition, under the terms of the cooperative agreement, the Commission has the responsibility of monitoring sub-recipients' performance and ensuring compliance with applicable terms and conditions, regulations, and statutes. The EPA's involvement in the sub-recipient's project has focused on providing technical input during routine proposal reviews and flagging potential areas of non-compliance with grant terms and conditions, laws, regulations and policies. For example, the EPA has provided advice to the Commission and the Swinomish Tribe regarding the lobbying restrictions applicable to grants.

The EPA takes the concerns that have been expressed by members of Congress and other parties very seriously. In an April 18, 2016, letter (enclosed), the EPA asked the Commission to suspend all expenditures under the sub-award to the Swinomish Tribe and requested the Commission conduct a review of its sub-award to the Tribe. During a meeting on April 25, 2016, the Commission confirmed that all advertising related to the sub-award had stopped, and costs related to billboards have not and will not be paid with funding Congress appropriates to the EPA. The Commission is continuing its assessment of the sub-award in relationship to EPA grant policies, terms, and conditions, and will be setting up a meeting between the EPA, the Commission, and the Swinomish Tribe to review the results.

I want to assure you that collaboration with our partners in the agricultural community is of great importance to the EPA. To exemplify our efforts regarding work with the agricultural community, in the past three years over \$12 million of EPA funds have been used to support collaboration with agriculture partners in Puget Sound to restore and protect riparian habitat and to reduce non-point source pollution.

The 2014 OIG report cited in your letter concluded, "...that EPA Region 10 is effectively administering cooperative agreements and monitoring project progress to determine whether proposed outputs and outcomes were achieved" (OIG, Report 14-P-0317, At a Glance, July 15, 2014). The OIG provided several recommendations, which EPA has addressed. We continue to provide strong oversight of the grants funded through the Puget Sound program.

Again, thank you for your interest in the EPA's grant activities. If you have any further questions, please contact me, or your staff may contact Kyle Aarons, in the EPA's Office of Congressional and Intergovernmental Relations at aarons.kyle@epa.gov or (202) 564-7351.

Sincerely,

Dennis J. McLerran Regional Administrator

Enclosure

Congress of the United States Washington, DC 20515

July 12, 2021

The Honorable Michael Regan Administrator Environmental Protection Agency 1200 Pennsylvania Avenue NW Washington, D.C. 20004 Mr. Jaime A. Pinkham Acting Assistant Secretary of the Army for Civil Works 441 G Street NW Washington, DC 20314-1000

Dear Administrator Regan and Acting Assistant Secretary Pinkham:

We write to you today greatly dismayed by the Environmental Protection Agency (EPA) and U.S. Army Corps of Engineers' decision to remand the 2020 Navigable Waters Protection Rule (NWPR), which finally provided certainty and relief for rural America. We are also discouraged by your recent actions taken to reopen the definition of the "waters of the United States." These steps demonstrate a misguided and out of touch approach toward addressing the needs of local communities across the country. The NWPR was an immense step forward in rectifying the regulatory overreach that was attempted in 2015, and your agencies' vague announcement and opaque process fails to ensure our communities will not – once again – be subject to further uncertainty and government overreach.

The 2015 Waters of the United States rule (WOTUS) promulgated by then-President Obama and Vice President Biden was a drastic land and water grab that sought to give unprecedented power to unelected bureaucrats in Washington, D.C. at the expense of farmers, ranchers, small business owners, and the American people. Under this rule, the EPA could fine farmers and ranchers thousands of dollars if they simply rotated from one crop to another on their own land without first gaining permission from the federal government. In an unprecedented expansion of the definition of "waters of the United States," it asserted categorical jurisdiction over typically-dry channels and a variety of intrastate, non-navigable, isolated waters based on a faulty new interpretation of the term "significant nexus.". This radical escalation of federal agencies' nearly unlimited authority to regulate any pond, puddle, ditch, stream, or creek threatened the very way of life of our constituents – and any attempt to revert to similarly restrictive policies that undermine existing stewardship efforts will only do the same.

Our farmers, ranchers, landowners, and small businesses have demonstrated a deep commitment to stewarding our waterways and lands, which is why this radical overreach was met with bipartisan opposition and concern that was even echoed by Administrator Regan during his confirmation process. During both a U.S. House of Representatives hearing and Senate confirmation hearing, Administrator Regan stated respectively, "We don't have any intention of going back to the original Obama WOTUS," and "We are not going to pull a rule off the shelf, especially after we've learned so much over the years." Unfortunately, your agencies' actions only point to seeking to do exactly that – dusting off the Obama-Biden WOTUS rule to drastically expand the jurisdiction of the federal government over non-navigable waters, leaving our nation's farmers, ranchers, and rural communities in significant legal uncertainty.

In addition to earning bipartisan opposition in Congress, the Obama-Biden WOTUS rule was challenged by 31 Democratic and Republican Attorney Generals who declared the rule exceeded the statutory authority of the Clean Water Act (CWA) and violated the Administrative Procedure Act. They were right and two federal courts granted preliminary injunctions on the implementation of the rule, with one court declaring it violated *both* laws.

In response to this unconstitutional and reckless failure of federal policy, the NWPR was promulgated in partnership with states and local communities to provide clear, commonsense guidance defining what waters are subject to federal jurisdiction under the CWA. Through this rule, the Trump Administration eliminated the precarious "significant nexus" standard set by the Obama-Biden WOTUS rule which was at the root of the confusion and uncertainty that plagued this poor policy. By clearly and directly identifying "waters of the United States" in six categories and making further clarifications of the definitions of tributaries and adjacent wetlands, the NWPR has set a comprehensible and successful standard for federal water policy while continuing to provide protection for our waterways and environment. Moreover, it is currently in effect in all 50 states, and all unwarranted attempts to force injunctions on the rule have been struck down by the courts – something that could never be said of the Obama-Biden WOTUS rule due to its illegality.

Confusion, regulatory uncertainty, and litigation have surrounded the scope of federal authority of our nation's navigable waterways for decades. With your recent actions, the Biden Administration is trampling upon this progress and further jeopardizing rural Americans' confidence that this Administration is working in their best interest. Therefore, we request answers to the attached questions by July 30, 2021.

Rural communities in the West and across the country are dedicated to clean water and do not deserve to be punished by far-reaching, burdensome federal regulations. We look forward to your thorough and prompt responses to these important questions.

Sincerely,

Dan Newhouse

Member of Congress

Mariannette Miller-Meeks, M.D.

Member of Congress

Steve Daines

United States Senator

//Joni Ernst

United States Senator

Chris Stewart

Member of Congress

Bon Bacon

Member of Congress

Russ Fulcher Member of Congress

Ralph Norman Member of Congress

Fred Keller Member of Congress

Member of Congress

Doug LaMalfa Member of Congress

Tracey Mann

Member of Congress

Member of Congress

Rose W. Morshall

Roger Marshall, M.D. **United States Senator**

Roy Blunt

United States Senator

Tom Cotton

United States Senator

Mike Crapo

United States Senator

ohn Barrasso, M.D.

arrasso

United States Senator

John Hoeven

United States Senator

Ted Cruz

United States Senator

Deb Fischer

United States Senator

Jerry Moran

United States Senator

Jeff Duncan Member of Congress

Paul A. Gosar, D.D. S. Member of Congress

Mike Bost Member of Congress

Eric A. Crawford Member of Congress

Dusty Johnson Member of Congress

Ron Estes
Member of Congress

Pete Stauber Member of Congress

Andy Biggs Member of Congress

Tom McClintock Member of Congress James E. Risch United States Senator

Ken Buck

Member of Congress

Adrian Smith Member of Congress

David G. Valadao Member of Congress

Bruce Westerman Member of Congress

Tom Tiffany

Member of Congress

Kelly Armstrong Member of Congress

James Comer Member of Congress

Markwayne Mullin Member of Congress

Markeyne MV.

Frank Lucas

Member of Congress

Earl L. "Buddy" Carter
Member of Congress

August Pfluger Member of Congress

Doug Lamborn Member of Congress

Yvette Herrell
Member of Congress

Debbie Lesko Member of Congress

Lauren Boebert
Member of Congress

Jason Smith

Member of Congress

Tom Emmer
Member of Congress

Bob Gibbs Member of Congress

Cliff Bentz
Member of Congress

Amos

Mark Amodei Member of Congress

Darrell Issa
Member of Congress

Matthew Rosendale, Sr. Member of Congress

Burgess Owens Member of Congress

Michelle Fischbach Member of Congress

Michelle Jackbad

Attachment 1:

- 1) What is the EPA and USACE's timeline for promulgating revisions to the NWPR?
 - a. Please include any plans for future coordination with stakeholders.
 - b. Please also include any deadlines set for the Agency to publish proposed rulemaking redefining "waters of the United States."
- 2) Which States and stakeholder groups did EPA, USACE, or other members of the Biden Administration consult with before determining to replace the Navigable Waters Protection Rule?
- 3) What is the intended scope for the planned replacement of the Navigable Waters Protection Rule?
 - a. Please provide any details on the plans, if any, to include "significant nexus; redefine "tributaries," or to amend "navigable" when replacing the rule.
- 4) Administrator Regan, you have conceded the 2015 Obama-Biden WOTUS rule was also problematic. What issues did you see with the former rule and what will you do to ensure mistakes are not repeated?
- 5) EPA and USACE staff pointed to "ongoing environmental harm" to justify revising the NWPR. Please provide our offices with further information and examples of the alleged environmental harm and damage as a result of the NWPR.
 - a. Please include what baseline and units of measurement were used to define and determine "significant environmental damage" in the 333 cases your staff identified.
 - b. Staff also justified this decision by citing implementation issues in the Southwest. As you know, implementation issues can easily be solved through the issuance of guidance documents, as opposed to a full replacement of the Navigable Waters Protection Rule. Will you commit to analyzing whether these implementation issues can be rectified through the issuance of implementation guidance?
- 6) States and rural communities have long championed efforts to protect our nation's waterways. Please provide details on how you plan to coordinate revisions with local and state partners.
- 7) Will the EPA and Corps work with the Department of the Interior to do a cost/benefit impact analysis of how your rule would impact BOR projects, BOR supported groundwater replenishment projects and other critical water infrastructure?



1595 Wynkoop Street Denver, CO 80202-1129 Phone 800-227-8917 www.epa.gov/region8

Ref: 8SEM-EMB

Hannah Polmer 5867 Morning Light Terrace Colorado Springs, Colorado 80919

Dear Ms. Polmer:

Thank you for your e-mail to the White House on June 30, 2021, regarding the Gold Hill Mesa housing development in Colorado Springs, Colorado. The e-mail was provided to the U.S. Environmental Protection Agency, Region 8, on November 8, 2021, for a response.

We are very sorry to learn of your unfortunate situation. Regarding your concerns about potential exposure to environmental contamination at the housing development, EPA Region 8's Emergency Response Program reviewed the soil and groundwater data available from previous investigations conducted under the auspices of the EPA and its state partner, the Colorado Department of Public Health and Environment (CDPHE). Our review determined that soil and groundwater data supports prior conclusions reached by CDPHE for the housing development, namely, that there is no direct exposure pathway to residents to heavy metals in soils or groundwater, due to a cap of clean soils on the site and the depth to groundwater. Without a direct exposure pathway, there is no basis for concluding that there is risk to residents.

Although we empathize with your concerns regarding geotechnical matters at the site and quality of home construction, such matters fall outside the scope of EPA's jurisdiction over environmental contamination. State and local officials may be able to assist with these concerns.

Thank you for your communication on this issue. We appreciate your concern for protecting human health and the environment.

Sincerely,

Deirdre Rothery Emergency Management Branch Chief Superfund and Emergency Management Division

Congress of the United States Washington, DC 20515

August 9, 2021

The Honorable Michael Regan Administrator U.S. Environmental Protection Agency 1200 Pennsylvania Avenue, N.W. Washington, DC 20460

Dear Administrator Regan:

We write about the Environmental Protection Agency's ("EPA") implementation of the American Innovation and Manufacturing Act ("AIM Act"). While the AIM Act goals are important, Congress intended that all market participants need to be treated fairly, and the Agency must avoid undue consumer impacts and financial impacts.

The refrigerant market for HFCs, and particularly the aftermarket, is completely different in 2021 than it was in 2011. The AIM Act specifies 2011, 2012 and 2013 as the HFC baseline years. The use of the 2011-2013 years as an aggregate baseline will result in reduced HFC availability even before the AIM Act phased reductions are applied. For instance, since cooling units in 2011 using HFCs were largely new and not in need of servicing, there were few aftermarket uses for refrigerant HFCs at that time. Use of HFCs in residential cooling was just starting so HFCs in the market were low, but the aftermarket uses for HFCs started growing only after 2016 when the units aged and required recharging.

As such, commercial and financial harm would result from this phasedown if EPA determinations about allocations are based on data that does not accurately reflect the current HFC market. Supply and demand should serve as the foundation for the phasedown data, and absent any EPA considerations of the market for HFCs in recent years, producers of HFCs would be unduly harmed by a regulatory framework that does not reflect the reality of the market. Ultimately, a schedule that differs from past allocations for CFCs and HCFCs would be unduly burdensome.

Without adequate care being taken, the AIM Act can adversely impact users of refrigerants and other markets. HFC imports increased from 2011 to 2021. While imports have been a significant factor in keeping refrigerant costs affordable, the continued presence of a robust import market of HFCs is critical to the aftermarket. Importantly, any implementation regime must allow small- and medium-sized companies to benefit from economies of scale by international trade in HFCs, meaning importers must have access to fair allocation. If aftermarket refrigerants are not available at a reasonable price, then small homeowners and disadvantaged communities will face costly premature cooling equipment replacements not envisioned under the Act.

The EPA allocation scheme must allow for significant aftermarket uses supplied in part by imports to avoid significant and unintended costs to small- and medium-sized businesses and ultimately to consumers. Allocation should allow for robust participation of HFC sources, be they domestic or international.

Sincerely,

Gus M. Bilirakis

Member of Congress

Markwayne Mullin

Congress of the United States Washington, DC 20515

December 11, 2020

The Honorable Andrew Wheeler Administrator U.S. Environmental Protection Agency 1200 Pennsylvania Avenue, N.W. Washington, D.C. 20460

Dear Administrator Wheeler,

We write to support the Environmental Protection Agency's proposed rule retaining existing ozone air quality standards. With air continuing to get cleaner as states implement existing standards, this measure strikes the right balance between protecting public health while supporting recovering communities working to overcome job losses and rebuild depleted tax bases.

It is important to note that the proposal's recommendation to retain existing ozone standards is backed by consensus expert opinion. After reviewing the most recent science on health effects, EPA staff recommended retaining the existing ozone standards. EPA's Clean Air Scientific Advisory Committee similarly concluded that evidence supports those standards.

At the same time, air quality continues to improve. Since 1990, ozone concentrations have dropped by 25%, and 4% during the last three years alone. Emissions of VOC and NOx ozone precursors have dropped by 47% and 65% respectively. This progress is ongoing. Even the Obama administration noted in 2015 that "EPA expects air quality to continue to improve as recently adopted regulations are fully implemented."

States are continuing to implement two separate ozone standards set in 2008 and 2015. Revising the standards again not only will disrupt this ongoing drive to cleaner air but will introduce new local burdens. In point of fact, ozone standards are now so low that in many parts of the country they exceed "background" levels of naturally produced or foreign-transported ozone. Revising these standards once again would undermine business investment, curtail employment, and erode local government revenue for schools and first responders without providing clear public benefit. The resulting impacts could reverberate to every part of the country.

Areas that do not meet new air standards face immediate, substantial, and long-lasting economic consequences. Existing facilities could be required to install new, expensive controls. New businesses seeking to build or upgrade operations must install the most effective ozone precursor emissions controls, without consideration of cost, and are subject to enhanced EPA oversight. In addition, businesses must offset new ozone-forming emissions by paying for emissions reductions at existing facilities. In the absence of affordable offsets, new projects

The Honorable Andrew Wheeler December 11, 2020 Page 2

cannot proceed. Local infrastructure is also impacted as federal funds for transportation projects are withheld unless those projects can be shown not to increase ozone-forming emissions.

Restrictions do not end once these areas achieve ozone standards. Instead, they must petition EPA to be re-designated to attainment by submitting a complex maintenance plan listing numerous mandatory and long-lasting measures.

The consequences of lowering ozone standards extend even to areas meeting those standards. New projects and major expansions in these areas require permits demonstrating that they will not exceed the standards. Businesses trying to make such demonstrations are already pinched by ozone standards set at background level. Lowering ozone standards further would eliminate the little margin left for businesses to obtain the necessary approvals for new, state-of-the-art projects. This could force companies operating in areas meeting ozone standards to install controls even more costly than those required in areas that fail the standards – or to simply not build at all.

Furthermore, EPA is limited in relieving the burden created from implementing yet another ozone standard. Courts have ruled that the Clean Air Act's "anti-backsliding" provisions require states to maintain controls implemented to meet ozone standards, even if a standard is revoked. Quite simply, EPA cannot get the ozone standards wrong now and fix it later.

We commend EPA for proposing to retain existing ozone standards. This proposal supports local communities now fighting to get back on their feet, while continuing to drive improved air quality under existing programs. It is backed by both EPA and its outside scientific advisors. We therefore encourage EPA to move quickly towards a final rule.

Sincerely,

John Shimkus

Member of Congress

Cathy McMorris Rodgers

Member of Congress

Greg Walder Member of Congress

Robert E. Latta

The Honorable Andrew Wheeler December 11, 2020 Page 3

Brett Guthrie
Member of Congress

David B. McKinley, P.E. Member of Congress

Billy Long
Member of Congress

Bill Flores Member of Congress

Earl L. "Buddy" Carter Member of Congress

Greg Gianforte

Member of Congress

Pete Olson

Member of Congress

H. Morgan Griffith Member of Congress

Larry Bucshon, M.D. Member of Congress

Markwayne Mullin Member of Congress

Jeff Dungan

Member of Congress

The Honorable Andrew Wheeler December 11, 2020 Page 4

Alex X. Mooney

Member of Congress

Randy K. Weber Member of Congress

Member of Congress

an Crenshaw Member of Congress

Steve Chabot Member of Congress

Member of Congress

Glenn Grothman Member of Congress

Carol D. Miller Member of Congress

Member of Congress

Thomas Tiffany Member of Congress

Doug Lamborn Member of Congress

Congress of the United States Washington, DC 20515

December 14, 2021

The Honorable Michael Regan Administrator U.S. Environmental Protection Agency 1201 Constitution Ave, NW Washington, D.C. 20004

Administrator Regan:

We are writing you to let you know of our interest in expanding the number of Federally approved, affordable, and available refrigerants for use in dehumidifiers. Specifically, we urge the Environmental Protection Agency (EPA) to expeditiously review and make a decision on the approved use of R-32 as an alternative refrigerant for residential dehumidifiers.

EPA, under the Significant New Alternatives Policy (SNAP), has approved 41 refrigerants for use in residential dehumidifiers. Yet, State of California regulations – which begin in about one year – will make all but one of these refrigerants illegal to use. Furthermore, the California Air Resources Board (CARB) is requiring the industry transition to R-32, a compound that is not yet approved for use by the EPA for dehumidifiers. In order to continue to provide consumers with residential dehumidifiers, manufacturers need a reasonable time frame to reengineer their products.

We note that, in April 2021, pursuant to Section 612 of the Clean Air Act, EPA issued Final Rule 23, which approved the use of R-32 refrigerants for residential and light commercial air conditioning and heat pump units. Unfortunately, this rule did not approve the use of R-32 for other applications, such as residential dehumidifiers.

This conflict between state and federal regulators threatens to penalize consumers with higher costs and few options, as well as the viability of domestic manufacturers by precluding their access to a major market. At a time when Americans are experiencing the painful ramifications of supply constraints, EPA should prioritize actions to mitigate potential harms to the consumer when statutory requirements permit, especially for refrigerants such as R-32 that have already been approved by the EPA for other applications.

Recent congressional efforts to address transitioning to more environmentally friendly refrigerants and products have been supported by producers, but a seamless, successful, and affordable conversion can only occur with a willing partner in the EPA.

We look forward to hearing from you on this matter.

¹ https://www.epa.gov/snap/substitutes-residential-dehumidifiers

Sincerely,

Twilvallery

Tim Walberg Member of Congress

hotel Changers

Michael C. Burgess, M.D. Member of Congress

Makrope Mis

Markwayne Mullin Member of Congress

Brett Sather

Brett Guthrie Member of Congress

My B. MICE

David B. McKinley Member of Congress

Robert E. Latta Member of Congress

Debbie Lesko Member of Congress

Jeff Duncan Member of Congress

Congress of the United States

Washington D.C. 20515

July 1, 2022

The Honorable Michael Regan Administrator Environmental Protection Agency 1200 Pennsylvania Avenue, N.W. Washington, DC 20460

Dear Administrator Regan:

We write in support of municipalities that are struggling to provide recycling services to constituents. As you are aware, there are local recycling systems across America that are struggling under the weight of all the waste being produced today. Our environment and communities are suffering as a result.

We also find it very concerning that at a national level our recycling systems are not performing at a higher level. We note the U.S. recycles only 46 percent¹ of beverage cans used, compared to 76 percent in the European Union and 97 percent² in Brazil. Moreover, the United States only recycles 25 percent³ of packaging materials. Unfortunately, this unrecycled material ends up in landfills and littered throughout our natural environment.

The lack of access to quality, recyclable material is particularly unfortunate as American businesses large and small struggle with supply chain shortages and high rates of inflation. Enhancing our recycling infrastructure would serve as an effective long-term strategy to supply the marketplace with a reliable and sustainable stream of aluminum, glass and other in-demand materials.

Late last year, Congress approved \$275 million in funding to enhance our nation's recycling systems in the Infrastructure Investment and Jobs Act (IIJA). Given Congressional intent laid out in the IIJA, we urge the Environmental Protection Agency (EPA) to expeditiously, but prudently, disperse this funding to local and tribal governments to permit necessary financial and technical assistance to improve, expand, and construct materials recovery facilities which will help increase the capture of recyclable products.

¹ Aluminum Association

² Brazilian Aluminum Association

³ EPA

Many municipalities have been waiting for support and it cannot come soon enough for them.

The IIJA also included language and funding establishing a new community recycling public education and outreach program at EPA. This program will help address consumer confusion on proper recycling practices and improve our nation's recycling system.

Thank you for your attention to and consideration of this important request. We look forward to working with you to help our communities effectively recycle.

Sincerely,

Diana DeGette

Member of Congress

Scott H. Peters

Member of Congress

Kim Schrier, M.D.

Member of Congress

Ann McLane Kuster

Member of Congress

Kathy Castor

Member of Congress

Robert E. Latta

Member of Congress

David P. Joyce

Member of Congress

John Curtis

Member of Congress

Brian Fitzpatrick

Member of Congress

Markwayne Mullin

Member of Congress

Congress of the United States Washington, DC 20515

March 8, 2022

The Honorable Michael S. Regan Administrator U.S. Environmental Protection Agency 1200 Pennsylvania Avenue, NW Washington, DC 20004 The Honorable Michael L. Connor Assistant Secretary of the Army for Civil Works U.S. Department of the Army 108 Army Pentagon Washington, DC 20310-0108

Dear Administrator Regan and Assistant Secretary Connor:

We write to you today regarding the United States Supreme Court's most recent announcement to grant certiorari to *Michael Sackett*, et ux., Petitioners v. Environmental Protection Agency, et al. (Sackett). For almost two decades, rural communities, businesses, and industries who rely on clean water have been trapped in political and legal limbo, surrounded by a shroud of legal opinions and faulty federal regulations. On June 9, 2021, the United States Environmental Protection Agency (EPA) and the United States Army Corps of Engineers (Corps) (collectively, the "Agencies") announced their intent to revise the definition of "waters of the United States," (WOTUS). Any decision by the Supreme Court on Sackett will have profound impacts on the Agencies' rulemaking process. Therefore, we urge the EPA and the Corps to halt its current rulemaking.

The United States Court of Appeals for the Ninth Circuit has improperly held that federal jurisdiction for WOTUS should follow the "significant nexus" test laid out in Justice Kennedy's concurring opinion in *Rapanos v. United States*, 547 U.S. 715 (2006), rather than a more narrow approach based on the areas the Kennedy opinion and the plurality opinion authored by Justice Scalia have in common.³ The Obama Administration's 2015 WOTUS rule also followed this flawed "significant nexus" approach, resulting in an unprecedented expansion of the definition of

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¹Sackett v. EPA, Case No. 21-454.

²Press Release, *EPA*, *Army Announce Intent to Revise Definition of WOTUS* (June 9, 2021), *available at* https://www.epa.gov/newsreleases/epa-army-announce-intent-revise-definition-wotus.

³ Sackett v. EPA, No. 19-35469, 8 F.4th 1075, (9th Cir. 2021), available at https://cdn.ca9.uscourts.gov/datastore/opinions/2021/08/16/19-

^{35469.}pdf?utm_medium=email&_hsmi=2&_hsenc=p2ANqtz-8X1_eQE4an2yYyXY-

WOTUS.⁴ This rule asserted federal jurisdiction over typically dry channels and a variety of intrastate non-navigable isolated waters.⁵ It is expected that a decision in *Sackett* would set forth a clearer and more appropriate test to define WOTUS and deliver certainty to the farmers, ranchers, private landowners, and industries who face the burden of this federal overreach.

Any future rulemaking must be based on fully informed legal guidance. The Agencies' goal of developing a lasting rule can only be achieved if appropriate legal standards are met, and it is premature to develop a new rule until the Court's *Sackett* opinion is issued. The Agencies themselves have stated that their rulemaking will take into account "updates to be consistent with relevant Supreme Court decisions." We hope the Agencies' regulatory activities remain consistent with these statements. If the Agencies move ahead with their current rulemaking, and the Court instructs the use of a more limiting test like Justice Scalia's plurality opinion, the Agencies would be forced to implement a new rulemaking process once again post-*Sackett*. Unfortunately, not only would this be a misuse of agency resources and taxpayer dollars, it would only serve to leave the regulated community with prolonged uncertainty regarding regulations and enforcement.

Confusion, unpredictability, and litigation have surrounded the scope of federal authority of our nation's navigable waterways for decades. Currently, the Administration's plan to revise the definition of WOTUS will be the sixth change in ten years; despite the Administration's statements that the new regulation would only be a return to the regulatory definition used before the 2015 WOTUS rule updated in conformance with judicial decisions. In reality, the rule takes a new and expansive approach to the definition of WOTUS, creating additional costs and burdens for regulated stakeholders.

Further, the Agencies certified that the new regulation would not have a significant effect on small businesses. However, the United States Small Business Administration's Office of Advocacy, meant to serve as an independent voice for small business, disagreed with this assessment, specifically finding that the "Agencies have improperly certified the proposed rule under the *Regulatory Flexibility Act* (RFA) because it would likely have direct significant impacts on a substantial number of small entities." The Office of Advocacy asked that the

⁴ Clean Water Rule: Definition of "Waters of the United States", 80 Fed. Reg. 37053, (Aug. 28, 2015), *available at* https://www.federalregister.gov/documents/2015/06/29/2015-13435/clean-water-rule-definition-of-waters-of-the-united-states.

⁵ *Id*.

⁶Press Release, *EPA and Army Announce Next Steps for Crafting Enduring Definition of Waters of the United States* (July 30, 2021), *available at* https://www.epa.gov/newsreleases/epa-and-army-announce-next-steps-crafting-enduring-definition-waters-united-states.

 $^{^{7}}Id$.

⁸ Revised Definition of "Waters of the United States," 86 Fed. Reg. 69372 (Dec. 7, 2021), available at https://www.federalregister.gov/documents/2021/12/07/2021-25601/revised-definition-of-waters-of-the-united-states.

⁹ Letter from Major L. Clark, III, Dep. Chief Counsel, Off. of Advoc., SBA, to Hon. Michael S. Regan, Admin., EPA, and the Hon. Michael L. Connor, Assistant Sec'y of the Army for Civil Works, Dep't of the Army (Feb. 7, 2022), available at https://cdn.advocacy.sba.gov/wp-content/uploads/2022/02/08152154/Comment-Letter-Proposed-WOTUS-Definition-2022.pdf.

¹⁰ *Id*.

Agencies hold the rule in abeyance while it conducts a Small Business Advocacy Review (SBAR) panel, in accordance with the RFA.¹¹

Rural communities across the country are dedicated to clean water, and they do not deserve to be punished by constant regulatory uncertainty. Any further rulemaking prior to the Supreme Court's decision will jeopardize Americans' best interests and fail to ensure our communities will not be subject to further uncertainty and government overreach. A premature rulemaking will also hinder efforts in communities across the country to build out and improve our Nation's infrastructure, as the regulatory definition of WOTUS has a direct impact on agencies' ability to authorize and complete infrastructure projects in a timely and efficient manner. This is especially troubling timing as Congress recently approved billions of dollars in funding for critical infrastructure. ¹²

We urge the EPA and the Corps to halt all current rulemaking actions surrounding the WOTUS definition as the United States Supreme Court takes up this landmark case. The Agencies should instead use this time to continue meaningful engagement with stakeholders, including convening an SBAR panel. This would allow the Agencies to fully understand and account for the impacts to small businesses, farmers, rural communities, and countless other stakeholders that will result from any regulatory change to the definition of WOTUS. We look forward to working with you on this important issue. If you have questions, please contact Ryan Hambleton, Republican Staff Director of the Subcommittee on Water Resources and Environment, at (202) 225-9446.

Sincerely,

Sam Graves Ranking Member

Committee on Transportation and

Infrastructure

Dan Newhouse

Chairman

Congressional Western Caucus

David Rouzer Ranking Member

Subcommittee on Water Resources and

Environment

¹¹ *Id*.

¹² Infrastructure Investment and Jobs Act, P.L. 117-58.

Kevin McCarthy Member of Congress Steve Scalise
Member of Congress

Glin M. Sufant

Elise M. Stefanik Member of Congress Nancy Mace Member of Congress

Jefferson Van Drew Member of Congress David B. McKinley, P.E. Member of Congress

Doug Lambon

Diana Harshbarger

MU(B.M) C

Scot DesJarlais Member of Congress

Doug Lamborn Member of Congress

Tim Walberg
Member of Congres

Diana Harshbarger Member of Congress

Tedd Budd

Member of Congress

Tracey Mann

Member of Congress

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Bob Gibbs Member of Congress



Brian Babin, D.D.S. Member of Congress

Rosel Normen

Ralph Norman Member of Congress

David G. Valadao Member of Congress

Lauren Boebert Member of Congress

Mary E. Miller Member of Congress

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Mike Johnson Member of Congress

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Clay Higgins Member of Congress

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Don Young Member of Congress

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Earl L. "Buddy" Carter Member of Congress

Bruce Westerman Member of Congress

Jason Smith Member of Congress Misheal Cloud

Michael Cloud Member of Congress

Rodry Dais

Rodney Davis Member of Congress

Blake D. Moore

Blake Moore Member of Congress

like Sim M.C.

Michael Simpson Member of Congress

Fred Keller Member of Congress

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Ann Wagner
Member of Congress

Yvette Herrell
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Ken Buck Member of Congress

Chris Jacobs

Member of Congress

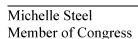
August Pfluger Member of Congress

Haus M.D.

Andy Harris, M.D. Member of Congress

Steve Womack

Steve Womack Member of Congress



Mike Gallagher
Member of Congress

Michael Burgess, M.D. Member of Congress

Dan Crenshaw

Dan Crenshaw Member of Congress



Markwayne Mullin Member of Congress

Ron Estes

Ron Estes Member of Congress

Guy Reschenthaler Member of Congress

Doug LaMalfa Member of Congress

David P. Joyce Member of Congress

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Randy Feenstra Member of Congress



Eric A. "Rick" Crawford Member of Congress

Cathe Me Lhodger

Cathy McMorris Rodgers Member of Congress

Dusty Johnson
Member of Congress

Rek W Arlan

Rick W. Allen Member of Congress



Michael Guest Member of Congress

David Kustoff

David Kustoff Member of Congress

Kat Cammack

Kat Cammack Member of Congress

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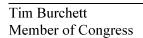
Mariannette Miller-Meeks Member of Congress

Will BT

Mike Bost Member of Congress

Carol D. Miller

Carol D. Miller Member of Congress



Jack Bergmon

Jack Bergman Member of Congress

James Comer

James Comer Member of Congress

Julia Letlow

Julia Letlow Member of Congress

P. Carl

Jerry L. Carl Member of Congress

De Van Dufte

Beth Van Duyne Member of Congress

Greg Steube Member of Congress

Richard Hudson Member of Congress

Tom Tiffany Member of Congress Dan Mun

Dan Meuser Member of Congress

Bill Huizenga Member of Congress

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Kelly Armstrong Member of Congress

Scott Perry

Member of Congress

Adrian Smith Member of Congress

Adam Kinzinger Member of Congress Jeff Yuman

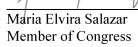
Jeff Duncan Member of Congress



Mo Brooks Member of Congress

Brow Swing

Pete Sessions Member of Congress



Michelle Fishbach Member of Congress

Blaine Luetkmeyer Member of Congress

Austin Scott
Member of Congress

Bill Posey
Member of Congress

Dan Bishop Member of Congress Glenn Grothman Member of Congress

Robert E. Latta Member of Congress Fred Upton
Member of Congress

Vicky Hartzler

Vicky Hartzler Member of Congress Cz Chenez

Liz Cheney Member of Congress

Louie Gohmert Member of Congress

Billy Long
Member of Congress

John Ow Rose

John Rose Member of Congress Pete Stauber Member of Congress

Jim Banks Member of Congress

Debbie Lesko Member of Congress

David Schweikert Member of Congress

Virginia Foxx Member of Congress

H. Morgan Griffith Member of Congress Garret Graves Member of Congress Ronny L. Jackson

Ronny L. Jackson Member of Congress Bill Johnson Member of Congress

Trent Kelly Member of Congress

Greg Pence Member of Congress

Paul A. Gosar, D.D.S. Member of Congress Brad Wenstrup Member of Congress

Warren Davidson Member of Congress

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Larry Bucshon, M.D. Member of Congress Gregory F. Murphy, M.D. Member of Congress

Thomas Massie Member of Congress

Thomas Massie

Roger Williams Member of Congress J. La Doma

Jake LaTurner Member of Congress

Jodey C. Arrington Member of Congress

Tom Emmer Member of Congress

Mark Amodei Member of Congress

S. Amost

Darrell Issa Member of Congress

Lloyd Smucker Member of Congress

Russ Fulcher Member of Congress Jackie Walorski Member of Congress

Stephanie Bice
Member of Congress

Stephanie I. Bice

Matthew Rosendale, Sr. Member of Congress

Alex X. Mooney Member of Congress John R. Moolenaar Member of Congress Brett Sather

Brett Guthrie Member of Congress Ben Cline

Ben Cline Member of Congress

Vaniel Welster

Daniel Webster Member of Congress Troy E. Nehls Member of Congress

James R. Baird Member of Congress Ken Calvert Member of Congress

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Robert J. Wittman Member of Congress Frank Lucas Member of Congress

Steve Chabot Member of Congress Glenn "GT" Thompson Member of Congress Randy Weber Member of

Randy Weber Member of Congress

Windl I. W Carl

Michael T. McCaul Member of Congress

Nicole Malliotakis Member of Congress

of Congress

Claudia Tenney
Member of Congress

Chris Stewart
Member of Congress

Troy Balderson Member of Congress

Steven M. Palazzo Member of Congress Byron Donalds Member of Congress

Bryan Steil Member of Congress

Mario Diaz-Balart Member of Congress

Carlos Gimenez Member of Congress

Trey Hollingsworth Member of Congress Mile Holy

Mike Kelly Member of Congress

Lance Hooden

Lance Gooden Member of Congress

Gary Palmer Member of Congress John Katko Member of Congress

Junit My

Jenniffer Gonzalez Colon Member of Congress

Kevin Hern Member of Congress

Tom McClintock
Member of Congress

Kay Granger Member of Congress

Andy Barr Member of Congress Drew Ferguson Member of Congress

Barry Loudermilk Member of Congress Neal P. Dunn, M.D. Member of Congress Jaime Herrera Beutler

Member of Congress

William Timmons

William Timmons Member of Congress

Miky Kyan

Mike D. Rogers Member of Congress C. Scott Frankli

Scott Franklin Member of Congress

Jay Obernolte Member of Congress

Kevin Brady Member of Congress

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Amata Coleman Radewagen Member of Congress Tom Rice

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John Carter

Member of Congress

Lisa McClain

Member of Congress

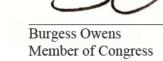
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Robert B. Aderholt Member of Congress John Joyce

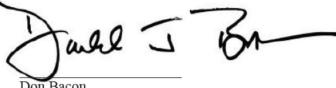
Member of Congress



Chip Roy Member of Congress



Darin LaHood Member of Congress



Don Bacon Member of Congress

Young Kim Member of Congress



Member of Congress

Bob Good Member of Congress

uch Him

French Hill Member of Congress

Victoria Spartz

Member of Congress



Matt Gaetz Member of Congress

Tom Cole Member of Congress John H. Rutherford Member of Congress

Pat Fallon Member of Congress

Hal Rogers
Member of Congress

Andrew Garbarino Member of Congress

Lee Zeldin Member of Congress

Chuck Fleischmann Member of Congress

Jake Ellzey Member of Congress Anthony Gonzalez
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Andrew S. Clyde Member of Congress

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Michael Waltz Member of Congress

Mark Green

Member of Congress

Joe Wilson

Member of Congress

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Mike Carey Member of Congress



MIM

Mike Garcia Member of Congress

Michael Turner

Michael Turner Member of Congress

The M Bilitin

Gus M. Bilirakis Member of Congress

Jody Hice

Jody Hice Member of Congress

Congress of the United States Washington, DC 20515

May 11, 2020

The Honorable Andrew Wheeler Administrator U.S. Environmental Protection Agency 1200 Pennsylvania Avenue NW Washington, D.C. 20460

Dear Administrator Wheeler:

As Members of the Texas, Louisiana, Oklahoma, Utah, and Wyoming delegations to Congress, we are writing you today to respectfully encourage the U.S. Environmental Protection Agency to quickly review requests made by our states to reduce the renewable volume obligation (RVO) under the federal Renewable Fuel Standard (RFS). The current, suppressed worldwide demand for motor fuels has placed the refining sector in a precarious economic situation that is only magnified by these federal regulations.

We understand as of April 15, the Governors from our states have pending requests for waivers before the U.S. Environmental Protection Agency. They argue that continued implementation of the RFS under the current RVO with an increasingly significant rise in the cost of compliance credits known as RINs could push the sector – and the nation as a whole – into severe economic stress.

Fortunately, Section 211(o)(7) of the Clean Air Act, allows for the EPA to respond by granting a waiver request if the RFS requirements would severely harm the economy or environment of a State, a region, or the United States. Based on this, we urge the EPA to act swiftly in reviewing these requests, under the Volume Requirement Waiver and if determined rightfully so, grant these waivers expediently.

This is not time for the agency to sit idly by as refineries face economic duress that can cost the nation hundreds of thousands of jobs and undermine the very energy security that the RFS was established to protect.

We appreciate your attention to this important matter and look forward to working with you and the Trump Administration on regulatory reform and future efforts to protect American jobs and economic opportunity.

Sincerely,

Chip Roy

Member of Congress

Pete Olson

Member of Congress

John Curtis
Member of Congress

Clay Higgins Member of Congress

Van Taylor Member of Congress

Ron Wright Member of Congress

Kevin Brady Member of Congress

Michael C. Burgess, M.D. Member of Congress

Louie Gohmert Member of Congress

Liz Cheney Member of Congress

Garret Graves
Member of Congress

Roger Williams Member of Congress

Brian Babin, D.D.S. Member of Congress

Tom Cole Member of Congress Makrape Mis

Markwayne Mullin Member of Congress

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Rob Bishop Member of Congress

Will Hurd

Will Hurd Member of Congress

Dan Crenshaw
Member of Congress

Jodey C. Arrington Member of Congress Michael Cloud Member of Congress

Lance Gooden Member of Congress

Michael T. McCaul Member of Congress

Del I. W Carl

Candy K. Waln

Kevin Hern Member of Congress

Randy K. Weber Member of Congress

Congress of the United States Washington, DC 20515

September 16, 2016

The Honorable Gina McCarthy Administrator U.S. Environmental Protection Agency 1200 Pennsylvania Avenue, N.W. Washington, D.C. 20460

Dear Administrator McCarthy:

We write seeking clarification on the Environmental Protection Agency's (EPA) enforcement of certain regulatory provisions of the Renewable Fuel Standard (RFS). We understand that the EPA is devoting substantial resources to an attempt to assign unprecedented levels of penalties under a regulatory provision that no longer exists and is based on an inconsistent interpretation that is counter to the regulation's plain language.

The provision in question is the former 40 C.F.R. § 80.1429(f). That provision, which the EPA deleted in September 2014, see 79 Fed. Reg. 42078, 42115 (July 18, 2014) (deleting Paragraph 80.1429(f) effective September 16, 2014), provided: "Any party that uses a renewable fuel in any application that is not transportation fuel, heating oil, or jet fuel, or designates a renewable fuel for use as something other than transportation fuel, heating oil, or jet fuel, must retire any RINs received with that renewable fuel and report the retired RINs in the applicable reports under § 80.1451."

It appears the EPA now interprets that provision as meaning that any party that used or designated a renewable fuel as a feedstock for use in producing renewable fuels had to retire any RINs received with the feedstock. However, this interpretation is inconsistent with a separate provision of the regulations, also deleted in September 2014, that provided "Parties who produce renewable fuel made from a feedstock which itself was a renewable fuel received with RINs, shall assign the original RINs to the new renewable fuel." See 40 C.F.R. 80.1426(c)(6)(ii)(A) (2010-2014) (deleted effective September 16, 2014).

Based on the regulatory text in effect from 2010 to 2014, the RFS regulations prohibited a party from doing what the EPA now insists they had to do—that is, retire any RINs that the party received with renewable fuel used as a feedstock. If this is in fact EPA's interpretation of these regulations, such enforcement actions would appear to be directly in contradiction with the plain language of the regulations in effect at the time.

Given the concerns raised in this letter alongside the agency's attempt to assign unprecedented levels of penalties against individual companies that have spared no expense

working with the agency to resolve this issue and fully comply with the RFS regulations in general, we request answers to the following questions:

- 1. Does EPA interpret 40 CFR § 80.1429(f) as requiring any party that used or designated a renewable fuel as a feedstock for use in producing renewable fuels to retire RINs received with the feedstock? Please explain.
 - a. If yes, please explain how EPA's interpretation of 40 CFR § 80.1429(f) is consistent with the plain language of the former paragraph 80.1426(c)(6)(ii)(A)?
- 2. During the time 40 CFR § 80.1429(f) was in effect, did its requirements apply to interim uses of fuel or final uses of fuel?
- 3. Why is EPA is devoting resources to investigating and enforcing a regulatory provision 40 C.F.R. § 80.1429(f) that it deleted over two years ago?
- 4. Under the current regulations, has EPA provided a pathway for the generation of RINs for a fuel produced using another renewable fuel as a feedstock?

We appreciate your prompt attention to this request. Please respond to the above inquiries on or before September 30, 2016. Should you have any questions, please contact Mandy Gunasekara of the Environment and Public Works Majority Committee staff at (202) 224-6176.

Sincerely,

Member of Congress

James M. Inhofe

United States Senator

Congress of the United States Washington, DC 20515

Submitted via regulations.gov

November 30, 2021

The Honorable Michael Regan Administrator Environmental Protection Agency 1200 Pennsylvania Avenue, NW Washington, D.C. 20460

Re: Request for a 60-day Extension to the Comment Period for EPA-HQ-OAR-2021-0317, Standards for Performance for New, Reconstructed, and Modified Sources and Emissions Guidelines for Existing Sources: Oil and Natural Gas Sector Climate Review

Dear Administrator Regan,

As members of the Oklahoma congressional delegation, we urge the U.S. Environmental Protection Agency (EPA) to extend the public comment period by 60-days for the EPA's proposed rule to directly regulate methane emissions from the oil and gas sector. We believe the current public comment period deadline of January 14, 2022 is insufficient in providing our constituents impacted by this sweeping regulatory proposal with enough time to thoroughly review and issue better informed comments. The complexity of EPA's proposal, coupled with the upcoming holiday season, provide ample justification for a 60-day extension of the comment period to March 15, 2022.

Oklahoma's oil and natural gas industry is vital to our economy, as it supports an estimated nearly 400,000 high-paying jobs across the state and generates billions of dollars in economic growth and tax revenue for the state and federal government. The proposed rule would unquestionably have a significant and wide-ranging impact on oil and gas businesses, most of whom are small businesses, who employ thousands of Oklahomans directly as well as indirectly. Also, at a time when Americans are paying more for energy to heat their homes and power their cars and trucks, it would be a mistake to move forward with this proposal, let alone a proposal that is not fully understood and would lead to further increased costs to consumers across the nation.

We believe extending the public comment period by 60-days is in the best interest of EPA and the regulated community, and appreciate your consideration of this request. We look forward to your reply.

Sincerely,

James M. Inhofe United States Senator James Lankford United States Senator Letter to EPA Administrator Regan requesting an extension to the public comment period for EPA's proposed rule to directly regulate methane emissions from the oil and gas sector November 30, 2021

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Frank D. Lucas Member of Congress Stephanie Bice Member of Congress

Tom Cole

Member of Congress

Kevin Hern

Member of Congress

Markwayne Mullin Member of Congress



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460 September 1, 2020

> OFFICE OF LAND AND EMERGENCY MANAGEMENT

The Honorable Markwayne Mullin U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Mullin:

The U.S. Environmental Protection Agency's (EPA) Superfund program is adding the Henryetta Iron and Metal site located in Henryetta, Oklahoma, to the National Priorities List (NPL) by rulemaking. The EPA received a state concurrence letter supporting the listing of this site on the NPL. Listing on the NPL provides eligibility for federal cleanup funding for the nation's highest priority contaminated sites.

Because this site is located within your congressional district, I am providing information to help in answering questions you may receive from your constituency. The information includes a brief description of the site and a general description of the NPL listing process.

If you have any questions, please contact me or your staff may contact Raquel Snyder, in the EPA's Office of Congressional and Intergovernmental Relations, at (202) 564-9586. We expect the rule to be published in the Federal Register in the next several days.

Sincerely,

Peter C. Wright

Assistant Administrator

Enclosures



NATIONAL PRIORITIES LIST (NPL)

September 2020

HENRYETTA IRON AND METAL Henryetta, Oklahoma

Okmulgee County

Site Location:

Henryetta Iron and Metal is a scrap-metal yard on the west side of Henryetta in southern Okmulgee County, Oklahoma.

▲ Site History:

Henryetta Iron and Metal (HIM) operations consisted of acquiring an assortment of metal-containing objects from various sources for recycling. The property had been used as a metal salvage yard since the 1930s. Other businesses that have occupied the property include a blacksmith, motor freight lines, a welding facility, and a pipe and supply company. Electrical transformers containing polychlorinated biphenyls (PCBs) were reportedly recycled on-site beginning in the 1950s. The facility is no longer active, but scrap piles remain on-site.

Site Contamination/Contaminants:

The soil, groundwater and downstream sediments are contaminated with PCBs, metals, and polycyclic aromatic hydrocarbons (PAHs).

***** Potential Impacts on Surrounding Community/Environment:**

On-site soils are heavily contaminated with PCBs, metals and PAHs. The site is not fenced and is accessible to nearby residents. Residential yards located to the south and downgradient of the site have concentrations of PCBs, metals and PAHs above Regional Screening Levels (RSLs). An unnamed creek downstream of the facility is contaminated with PCBs from the site. Local children play in the creek. Groundwater underlying the facility is contaminated with metals and PCBs.

A Response Activities (to date):

In November 2018, the EPA removed soil from three residential homes and city right-of-way. A berm was constructed to redirect surface water flow away from the residential homes already remediated.

■ Need for NPL Listing:

The state of Oklahoma referred the site to the EPA because no other viable options for long-term remediation were available. The EPA received a letter of support for placing this site on the NPL from the state of Oklahoma.

[The description of the site (release) is based on information available at the time the site was evaluated with the HRS. The description may change as additional information is gathered on the sources and extent of contamination. See 56 FR 5600, February 11, 1991, or subsequent FR notices.]



NATIONAL PRIORITIES LIST (NPL)

WHAT IS THE NPL?

The National Priorities List (NPL) is a list of national priorities among the known or threatened releases of hazardous substances throughout the United States. The list serves as an information and management tool for the Superfund cleanup process as required under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). The NPL is intended primarily to guide EPA in determining which sites warrant further investigation to assess the nature and extent of public health and environmental risks associated with a release of hazardous substances.

There are three ways a site is eligible for the NPL:

1. Scores at least 28.50:

A site may be included on the NPL if it scores sufficiently high on the Hazard Ranking System (HRS), which EPA published as Appendix A of the National Contingency Plan. The HRS is a mathematical formula that serves as a screening device to evaluate a site's relative threat to human health or the environment. As a matter of Agency policy, those sites that score 28.50 or greater on the HRS are eligible for inclusion on the NPL. This is the most common way a site becomes eligible for the NPL.

2. State Pick:

Each state and territory may designate one top-priority site regardless of score.

3. ATSDR Health Advisory:

Certain other sites may be listed regardless of their HRS score, if all of the following conditions are met:

- a. The Agency for Toxic Substances and Disease Registry (ATSDR) of the U.S. Department of Health and Human Services has issued a health advisory that recommends removing people from the site;
- b. EPA determines that the release poses a significant threat to public health; and
- c. EPA anticipates it will be more cost-effective to use its remedial authority than to use its emergency removal authority to respond to the site.

Sites are first proposed for addition to the NPL in the *Federal Register*. EPA then accepts public comments for 60 days, responds to the comments, and places those sites on the NPL that continue to meet the requirements for listing. To submit comments, visit www.regulations.gov.

Placing a site on the NPL does not assign liability to any party or to the owner of any specific property; nor does it mean that any remedial or removal action will necessarily be taken.

For more information, please visit www.epa.gov/superfund/sites/npl/.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

MOV 25 2813

OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE

The Honorable Gregg Harper U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Harper:

Thank you for your letter of July 24, 2013, regarding the proposed revisions to the U.S. Environmental Protection Agency's (EPA) underground storage tank regulations. Knowing that the majority of our regulated entities are small businesses, we agree it is important to recognize potential impacts to this sector. This was one of the main reasons why, when drafting the proposal, we made a concerted effort to propose provisions which would not require costly retrofits to existing underground storage tank (UST) systems, yet would help ensure protection of public health and the environment.

The EPA carefully evaluated the costs associated with the proposal and explained the agency's analysis in the regulatory impact assessment (RIA). Our analysis determined that the potential costs of the proposal did not reach a level that would require convening a Small Business Advocacy Review Panel. Although EPA did not convene a Panel, we sought extensive stakeholder input to help inform our rulemaking proposal.

Prior to the November 2011 proposal, the EPA engaged in a multi-year effort with stakeholders to identify appropriate updates and modifications to the UST regulations. Before the EPA started to draft regulatory language, the agency reached out to potentially affected parties to ask for their input on what changes to make to the UST regulations. Starting in March 2008, the EPA had conference calls, in person meetings, and shared emails with stakeholders. The EPA reached out to petroleum marketers and other owners and operators of UST systems, equipment manufacturers, vendors and service providers who work on the equipment, among others. Specifically, the EPA met with industry representatives of Petroleum Marketers Association of America (PMAA), American Petroleum Institute (API), National Association of Convenience Stores (NACS), SIGMA, National Association of Truckstop Owners (NATSO) and the Petroleum Transportation and Storage Association (PTSA). In addition to meeting with these stakeholders, the EPA also met with several individual marketing, equipment and service companies. The EPA held a series of in person meetings with these groups to gain their input on potential changes to the UST regulations. The feedback included information about field experience with UST system equipment, requests not to require extensive retrofits, and general support for a focus on operations and maintenance activities. These meetings were held March 17, 2008, April 17, 2008, June 18, 2008 and November 18, 2008.

The EPA documented a list of all of the ideas submitted by stakeholders during these meetings as well as through email. In January 2009, the EPA emailed this list of potential changes to the UST regulations to all stakeholders, and asked for their comments on the ideas. Based on all of the comments received in

response to the January 2009 email, the EPA narrowed the list of potential changes to the UST regulations. In June 2009, the EPA emailed the narrowed list to stakeholders. We invited stakeholders to submit their thoughts to us and to let us know if they would like to set up a phone call to discuss any of the issues. The EPA met with all industry representatives who asked to do so. Before, during, and since the end of the rulemaking comment period, we have held more than 100 meetings with stakeholders. From the list that the EPA developed through extensive stakeholder input, we drafted the proposal. In addition to meeting with all interested stakeholders, the EPA worked with the Small Business Administration's Office of Advocacy (SBA) before the proposal was published as well as during the public comment period. Following the EPA's rulemaking process, before publishing the proposal in the federal register, all other federal agencies were given an opportunity to review and comment on the proposal. SBA was an integral part of this process. In addition, we worked with SBA during the public comment period. SBA brought to our attention that many small businesses were confused by the proposed changes to wastewater treatment tanks. The EPA and SBA worked together to develop explanatory materials on these UST systems to provide the clarity sought by small business.

In order to ensure that members of the public had an opportunity to comment on the proposal, the EPA extended the comment period from 90 to 150 days. The agency takes the comments we receive during regulatory comment periods very seriously. After receiving comments, the EPA worked diligently to understand industry's cost information comments so that we could thoroughly evaluate our cost analysis. The EPA appreciates the detailed response from commenters, and has fully considered the comments including the compliance costs submitted by industry representatives. We are currently working to determine the appropriate path forward using the comments we received to help inform our decision making. Some of the changes to the proposal that the EPA is considering would reduce the costs of the final rule. We share your concern about the potential burden on small businesses and are working to minimize the costs while we maintain appropriate public health and environmental protection.

Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Raquel Snyder, in EPA's Office of Congressional and Intergovernmental Relations, at Snyder.Raquel@epa.gov or (202) 564-9586.

Sincerely,

Mathy Stanislaus

Assistant Administrator



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

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OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE

The Honorable John Barrow U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Barrow:

Thank you for your letter of July 24, 2013, regarding the proposed revisions to the U.S. Environmental Protection Agency's (EPA) underground storage tank regulations. Knowing that the majority of our regulated entities are small businesses, we agree it is important to recognize potential impacts to this sector. This was one of the main reasons why, when drafting the proposal, we made a concerted effort to propose provisions which would not require costly retrofits to existing underground storage tank (UST) systems, yet would help ensure protection of public health and the environment.

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Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Raquel Snyder, in EPA's Office of Congressional and Intergovernmental Relations, at Snyder.Raquel@epa.gov or (202) 564-9586.

Sincerely,

Mathy Stanislaus

Assistant Administrator



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

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OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE

The Honorable Leonard Lance U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Lance:

Thank you for your letter of July 24, 2013, regarding the proposed revisions to the U.S. Environmental Protection Agency's (EPA) underground storage tank regulations. Knowing that the majority of our regulated entities are small businesses, we agree it is important to recognize potential impacts to this sector. This was one of the main reasons why, when drafting the proposal, we made a concerted effort to propose provisions which would not require costly retrofits to existing underground storage tank (UST) systems, yet would help ensure protection of public health and the environment.

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Sincerely,

Mathy Stanislaus



WASHINGTON, D.C. 20460

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OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE

The Honorable Marsha W. Blackburn U.S. House of Representatives Washington, D.C. 20515

Dear Congresswoman Blackburn:

Thank you for your letter of July 24, 2013, regarding the proposed revisions to the U.S. Environmental Protection Agency's (EPA) underground storage tank regulations. Knowing that the majority of our regulated entities are small businesses, we agree it is important to recognize potential impacts to this sector. This was one of the main reasons why, when drafting the proposal, we made a concerted effort to propose provisions which would not require costly retrofits to existing underground storage tank (UST) systems, yet would help ensure protection of public health and the environment.

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Sincerely,

Mathy Stanislaus



WASHINGTON, D.C. 20460

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OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE

The Honorable Mike Simpson U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Simpson:

Thank you for your letter of July 24, 2013, regarding the proposed revisions to the U.S. Environmental Protection Agency's (EPA) underground storage tank regulations. Knowing that the majority of our regulated entities are small businesses, we agree it is important to recognize potential impacts to this sector. This was one of the main reasons why, when drafting the proposal, we made a concerted effort to propose provisions which would not require costly retrofits to existing underground storage tank (UST) systems, yet would help ensure protection of public health and the environment.

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Sincerely,

Mathy Stanislaus



WASHINGTON, D.C. 20460

177 28 178

OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE

The Honorable Steven M. Palazzo U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Palazzo:

Thank you for your letter of July 24, 2013, regarding the proposed revisions to the U.S. Environmental Protection Agency's (EPA) underground storage tank regulations. Knowing that the majority of our regulated entities are small businesses, we agree it is important to recognize potential impacts to this sector. This was one of the main reasons why, when drafting the proposal, we made a concerted effort to propose provisions which would not require costly retrofits to existing underground storage tank (UST) systems, yet would help ensure protection of public health and the environment.

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Sincerely,

Mathy Stanislaus



WASHINGTON, D.C. 20460

107 28 533

OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE

The Honorable Tim Griffin U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Griffin:

Thank you for your letter of July 24, 2013, regarding the proposed revisions to the U.S. Environmental Protection Agency's (EPA) underground storage tank regulations. Knowing that the majority of our regulated entities are small businesses, we agree it is important to recognize potential impacts to this sector. This was one of the main reasons why, when drafting the proposal, we made a concerted effort to propose provisions which would not require costly retrofits to existing underground storage tank (UST) systems, yet would help ensure protection of public health and the environment.

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Sincerely,

Mathy Stanislaus



WASHINGTON, D.C. 20460

WY 28 2013

OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE

The Honorable Rick Crawford U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Crawford:

Thank you for your letter of July 24, 2013, regarding the proposed revisions to the U.S. Environmental Protection Agency's (EPA) underground storage tank regulations. Knowing that the majority of our regulated entities are small businesses, we agree it is important to recognize potential impacts to this sector. This was one of the main reasons why, when drafting the proposal, we made a concerted effort to propose provisions which would not require costly retrofits to existing underground storage tank (UST) systems, yet would help ensure protection of public health and the environment.

The EPA carefully evaluated the costs associated with the proposal and explained the agency's analysis in the regulatory impact assessment (RIA). Our analysis determined that the potential costs of the proposal did not reach a level that would require convening a Small Business Advocacy Review Panel. Although EPA did not convene a Panel, we sought extensive stakeholder input to help inform our rulemaking proposal.

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Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Raquel Snyder, in EPA's Office of Congressional and Intergovernmental Relations, at Snyder.Raquel@epa.gov or (202) 564-9586.

Sincerely,

Mathy Stanislaus



WASHINGTON, D.C. 20460

MAY 28 2013

OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE

The Honorable Steve Womack U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Womack:

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WASHINGTON, D.C. 20460

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OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE

The Honorable Gus Bilirakis U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Bilirakis:

Thank you for your letter of July 24, 2013, regarding the proposed revisions to the U.S. Environmental Protection Agency's (EPA) underground storage tank regulations. Knowing that the majority of our regulated entities are small businesses, we agree it is important to recognize potential impacts to this sector. This was one of the main reasons why, when drafting the proposal, we made a concerted effort to propose provisions which would not require costly retrofits to existing underground storage tank (UST) systems, yet would help ensure protection of public health and the environment.

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Mathy Stanislaus



WASHINGTON, D.C. 20460

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OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE

The Honorable Renee Ellmers U.S. House of Representatives Washington, D.C. 20515

Dear Congresswoman Ellmers:

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WASHINGTON, D.C. 20460

OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE

The Honorable Lee Terry U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Terry:

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WASHINGTON, D.C. 20460

KEY 28 2013

OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE

The Honorable Mark Amodei U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Amodei:

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Mathy Stanislaus
Assistant Administrator



WASHINGTON, D.C. 20460

107 28 513

OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE

The Honorable Tom Cotton U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Cotton:

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OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE

The Honorable Alan Nunnelee U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Nunnelee:

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WASHINGTON, D.C. 20460

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OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE

The Honorable Tom Latham U.S. House of Representatives Washington, D.C. 20515

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WASHINGTON, D.C. 20460

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OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE

The Honorable Bill Cassidy U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Cassidy:

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Mathy Stanislaus
Assistant Administrator



WASHINGTON, D.C. 20460

OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE

The Honorable Adam Kinzinger U.S. House of Representatives Washington, D.C. 20515

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Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Raquel Snyder, in EPA's Office of Congressional and Intergovernmental Relations, at Snyder.Raquel@epa.gov or (202) 564-9586.

Sincerely,

Mathy Stanislaus
Assistant Administrator



WASHINGTON, D.C. 20460

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OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE

The Honorable Mike Pompeo U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Pompeo:

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Sincerely,

Mathy Stanislaus



WASHINGTON, D.C. 20460

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OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE

The Honorable Steve Daines U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Daines:

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Sincerely,

Mathy Stanislaus



WASHINGTON, D.C. 20460

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OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE

The Honorable Robert E. Latta U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Latta:

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Sincerely,

Mathy Stanislaus



WASHINGTON, D.C. 20460

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OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE

The Honorable Billy Long U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Long:

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WASHINGTON, D.C. 20460

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OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE

The Honorable Paul Gosar U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Gosar:

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WASHINGTON, D.C. 20460

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OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE

The Honorable Jason Chaffetz U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Chaffetz:

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WASHINGTON, D.C. 20460

137 23 233

OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE

The Honorable Robert Bishop U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Bishop:

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Sincerely,

Mathy Stanislaus
Assistant Administrator



WASHINGTON, D.C. 20460

OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE

The Honorable Walter B. Jones U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Jones:

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WASHINGTON, D.C. 20460

OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE

The Honorable Jeff Duncan U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Duncan:

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WASHINGTON, D.C. 20460



OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE

The Honorable Mick Mulvaney U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Mulvaney:

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Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Raquel Snyder, in EPA's Office of Congressional and Intergovernmental Relations, at Snyder.Raquel@epa.gov or (202) 564-9586.

Sincerely,

Mathy Stanislaus



WASHINGTON, D.C. 20460

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OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE

The Honorable David P. Roe U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Roe:

Thank you for your letter of July 24, 2013, regarding the proposed revisions to the U.S. Environmental Protection Agency's (EPA) underground storage tank regulations. Knowing that the majority of our regulated entities are small businesses, we agree it is important to recognize potential impacts to this sector. This was one of the main reasons why, when drafting the proposal, we made a concerted effort to propose provisions which would not require costly retrofits to existing underground storage tank (UST) systems, yet would help ensure protection of public health and the environment.

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Sincerely,

Mathy Stanislaus



WASHINGTON, D.C. 20460

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OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE

The Honorable Cory Gardner U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Gardner:

Thank you for your letter of July 24, 2013, regarding the proposed revisions to the U.S. Environmental Protection Agency's (EPA) underground storage tank regulations. Knowing that the majority of our regulated entities are small businesses, we agree it is important to recognize potential impacts to this sector. This was one of the main reasons why, when drafting the proposal, we made a concerted effort to propose provisions which would not require costly retrofits to existing underground storage tank (UST) systems, yet would help ensure protection of public health and the environment.

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Sincerely,

Mathy Stanislaus
Assistant Administrator



WASHINGTON, D.C. 20460

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OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE

The Honorable Cathy McMorris Rodgers U.S. House of Representatives Washington, D.C. 20515

Dear Congresswoman McMorris Rodgers:

Thank you for your letter of July 24, 2013, regarding the proposed revisions to the U.S. Environmental Protection Agency's (EPA) underground storage tank regulations. Knowing that the majority of our regulated entities are small businesses, we agree it is important to recognize potential impacts to this sector. This was one of the main reasons why, when drafting the proposal, we made a concerted effort to propose provisions which would not require costly retrofits to existing underground storage tank (UST) systems, yet would help ensure protection of public health and the environment.

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Sincerely,

Mathy Stanislaus



WASHINGTON, D.C. 20460

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OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE

The Honorable Brett Guthrie U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Guthrie:

Thank you for your letter of July 24, 2013, regarding the proposed revisions to the U.S. Environmental Protection Agency's (EPA) underground storage tank regulations. Knowing that the majority of our regulated entities are small businesses, we agree it is important to recognize potential impacts to this sector. This was one of the main reasons why, when drafting the proposal, we made a concerted effort to propose provisions which would not require costly retrofits to existing underground storage tank (UST) systems, yet would help ensure protection of public health and the environment.

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Sincerely,

Mathy Stanislaus



WASHINGTON, D.C. 20460

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OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE

The Honorable Robert B. Aderholt U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Aderholt:

Thank you for your letter of July 24, 2013, regarding the proposed revisions to the U.S. Environmental Protection Agency's (EPA) underground storage tank regulations. Knowing that the majority of our regulated entities are small businesses, we agree it is important to recognize potential impacts to this sector. This was one of the main reasons why, when drafting the proposal, we made a concerted effort to propose provisions which would not require costly retrofits to existing underground storage tank (UST) systems, yet would help ensure protection of public health and the environment.

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Mathy Stanislaus



WASHINGTON, D.C. 20460

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OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE

The Honorable Bill Johnson U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Johnson:

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Sincerely,

Mathy Stanislaus



WASHINGTON, D.C. 20460

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OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE

The Honorable Bill Huizenga U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Huizenga:

Thank you for your letter of July 24, 2013, regarding the proposed revisions to the U.S. Environmental Protection Agency's (EPA) underground storage tank regulations. Knowing that the majority of our regulated entities are small businesses, we agree it is important to recognize potential impacts to this sector. This was one of the main reasons why, when drafting the proposal, we made a concerted effort to propose provisions which would not require costly retrofits to existing underground storage tank (UST) systems, yet would help ensure protection of public health and the environment.

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Sincerely,

Mathy Stanislaus



WASHINGTON, D.C. 20460

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OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE

The Honorable Mo Brooks U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Brooks:

Thank you for your letter of July 24, 2013, regarding the proposed revisions to the U.S. Environmental Protection Agency's (EPA) underground storage tank regulations. Knowing that the majority of our regulated entities are small businesses, we agree it is important to recognize potential impacts to this sector. This was one of the main reasons why, when drafting the proposal, we made a concerted effort to propose provisions which would not require costly retrofits to existing underground storage tank (UST) systems, yet would help ensure protection of public health and the environment.

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Sincerely,

Mathy Stanislaus



WASHINGTON, D.C. 20460

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OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE

The Honorable Virginia Foxx U.S. House of Representatives Washington, D.C. 20515

Dear Congresswoman Foxx:

Thank you for your letter of July 24, 2013, regarding the proposed revisions to the U.S. Environmental Protection Agency's (EPA) underground storage tank regulations. Knowing that the majority of our regulated entities are small businesses, we agree it is important to recognize potential impacts to this sector. This was one of the main reasons why, when drafting the proposal, we made a concerted effort to propose provisions which would not require costly retrofits to existing underground storage tank (UST) systems, yet would help ensure protection of public health and the environment.

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Mathy Stanislaus



WASHINGTON, D.C. 20460

OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE

The Honorable Greg Walden U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Walden:

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Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Raquel Snyder, in EPA's Office of Congressional and Intergovernmental Relations, at Snyder.Raquel@epa.gov or (202) 564-9586.

Sincerely,

Mathy Stanislaus



WASHINGTON, D.C. 20460

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OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE

The Honorable Mike D. Rogers U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Rogers:

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Sincerely,

Mathy Stanislaus



WASHINGTON, D.C. 20460

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OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE

The Honorable Daniel Webster U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Webster:

Thank you for your letter of July 24, 2013, regarding the proposed revisions to the U.S. Environmental Protection Agency's (EPA) underground storage tank regulations. Knowing that the majority of our regulated entities are small businesses, we agree it is important to recognize potential impacts to this sector. This was one of the main reasons why, when drafting the proposal, we made a concerted effort to propose provisions which would not require costly retrofits to existing underground storage tank (UST) systems, yet would help ensure protection of public health and the environment.

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Sincerely,

Mathy Stanislaus Assistant Administrator



WASHINGTON, D.C. 20460

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OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE

The Honorable Adrian Smith U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Smith:

Thank you for your letter of July 24, 2013, regarding the proposed revisions to the U.S. Environmental Protection Agency's (EPA) underground storage tank regulations. Knowing that the majority of our regulated entities are small businesses, we agree it is important to recognize potential impacts to this sector. This was one of the main reasons why, when drafting the proposal, we made a concerted effort to propose provisions which would not require costly retrofits to existing underground storage tank (UST) systems, yet would help ensure protection of public health and the environment.

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Sincerely,

Mathy Stanislaus



WASHINGTON, D.C. 20460

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OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE

The Honorable Ann Wagner U.S. House of Representatives Washington, D.C. 20515

Dear Congresswoman Wagner:

Thank you for your letter of July 24, 2013, regarding the proposed revisions to the U.S. Environmental Protection Agency's (EPA) underground storage tank regulations. Knowing that the majority of our regulated entities are small businesses, we agree it is important to recognize potential impacts to this sector. This was one of the main reasons why, when drafting the proposal, we made a concerted effort to propose provisions which would not require costly retrofits to existing underground storage tank (UST) systems, yet would help ensure protection of public health and the environment.

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WASHINGTON, D.C. 20460

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OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE

The Honorable Mike J. Rogers U.S. House of Representatives Washington, D.C. 20515

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WASHINGTON, D.C. 20460

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OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE

The Honorable Gene Green U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Green:

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Sincerely,

Mathy Stanislaus



WASHINGTON, D.C. 20460

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OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE

The Honorable Steve Southerland U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Southerland:

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Sincerely,

Mathy Stanislaus



WASHINGTON, D.C. 20460

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OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE

The Honorable Vicky Hartzler U.S. House of Representatives Washington, D.C. 20515

Dear Congresswoman Hartzler:

Thank you for your letter of July 24, 2013, regarding the proposed revisions to the U.S. Environmental Protection Agency's (EPA) underground storage tank regulations. Knowing that the majority of our regulated entities are small businesses, we agree it is important to recognize potential impacts to this sector. This was one of the main reasons why, when drafting the proposal, we made a concerted effort to propose provisions which would not require costly retrofits to existing underground storage tank (UST) systems, yet would help ensure protection of public health and the environment.

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Mathy Stanislaus



WASHINGTON, D.C. 20460

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OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE

The Honorable Rodney Davis U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Davis:

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Sincerely,

Mathy Stanislaus



WASHINGTON, D.C. 20460

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OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE

The Honorable Todd Young U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Young:

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Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Raquel Snyder, in EPA's Office of Congressional and Intergovernmental Relations, at Snyder.Raquel@epa.gov or (202) 564-9586.

Sincerely,

Mathy Stanislaus



WASHINGTON, D.C. 20460

1012200

OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE

The Honorable Markwayne Mullin U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Mullin:

Thank you for your letter of July 24, 2013, regarding the proposed revisions to the U.S. Environmental Protection Agency's (EPA) underground storage tank regulations. Knowing that the majority of our regulated entities are small businesses, we agree it is important to recognize potential impacts to this sector. This was one of the main reasons why, when drafting the proposal, we made a concerted effort to propose provisions which would not require costly retrofits to existing underground storage tank (UST) systems, yet would help ensure protection of public health and the environment.

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Sincerely,

Mathy Stanislaus



WASHINGTON, D.C. 20460

NOV 2 5 2013

OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE

The Honorable Jackie Walorski U.S. House of Representatives Washington, D.C. 20515

Dear Congresswoman Walorski:

Thank you for your letter of July 24, 2013, regarding the proposed revisions to the U.S. Environmental Protection Agency's (EPA) underground storage tank regulations. Knowing that the majority of our regulated entities are small businesses, we agree it is important to recognize potential impacts to this sector. This was one of the main reasons why, when drafting the proposal, we made a concerted effort to propose provisions which would not require costly retrofits to existing underground storage tank (UST) systems, yet would help ensure protection of public health and the environment.

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Sincerely,

Mathy Stanislaus



WASHINGTON, D.C. 20460

NOV 2 5 2013

OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE

The Honorable Todd Rokita U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Rokita:

Thank you for your letter of July 24, 2013, regarding the proposed revisions to the U.S. Environmental Protection Agency's (EPA) underground storage tank regulations. Knowing that the majority of our regulated entities are small businesses, we agree it is important to recognize potential impacts to this sector. This was one of the main reasons why, when drafting the proposal, we made a concerted effort to propose provisions which would not require costly retrofits to existing underground storage tank (UST) systems, yet would help ensure protection of public health and the environment.

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Sincerely,

Mathy Stanislaus



WASHINGTON, D.C. 20460

NOV 2 5 2013

OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE

The Honorable Stephen Fincher U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Fincher:

Thank you for your letter of July 24, 2013, regarding the proposed revisions to the U.S. Environmental Protection Agency's (EPA) underground storage tank regulations. Knowing that the majority of our regulated entities are small businesses, we agree it is important to recognize potential impacts to this sector. This was one of the main reasons why, when drafting the proposal, we made a concerted effort to propose provisions which would not require costly retrofits to existing underground storage tank (UST) systems, yet would help ensure protection of public health and the environment.

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Sincerely,

Mathy Stanislaus



WASHINGTON, D.C. 20460

NOV 2 5 2013

OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE

The Honorable Kevin Cramer U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Cramer:

Thank you for your letter of July 24, 2013, regarding the proposed revisions to the U.S. Environmental Protection Agency's (EPA) underground storage tank regulations. Knowing that the majority of our regulated entities are small businesses, we agree it is important to recognize potential impacts to this sector. This was one of the main reasons why, when drafting the proposal, we made a concerted effort to propose provisions which would not require costly retrofits to existing underground storage tank (UST) systems, yet would help ensure protection of public health and the environment.

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WASHINGTON, D.C. 20460

NOV 2 5 2013

OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE

The Honorable Scott Desjarlais U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Desjarlais:

Thank you for your letter of July 24, 2013, regarding the proposed revisions to the U.S. Environmental Protection Agency's (EPA) underground storage tank regulations. Knowing that the majority of our regulated entities are small businesses, we agree it is important to recognize potential impacts to this sector. This was one of the main reasons why, when drafting the proposal, we made a concerted effort to propose provisions which would not require costly retrofits to existing underground storage tank (UST) systems, yet would help ensure protection of public health and the environment.

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Sincerely,

Mathy Stanislaus



WASHINGTON, D.C. 20460

NOV 2 5 2013

OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE

The Honorable Martha Roby U.S. House of Representatives Washington, D.C. 20515

Dear Congresswoman Roby:

Thank you for your letter of July 24, 2013, regarding the proposed revisions to the U.S. Environmental Protection Agency's (EPA) underground storage tank regulations. Knowing that the majority of our regulated entities are small businesses, we agree it is important to recognize potential impacts to this sector. This was one of the main reasons why, when drafting the proposal, we made a concerted effort to propose provisions which would not require costly retrofits to existing underground storage tank (UST) systems, yet would help ensure protection of public health and the environment.

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Sincerely,

Mathy Stanislaus



WASHINGTON, D.C. 20460

NOV 2 5 2013

OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE

The Honorable Diane Black U.S. House of Representatives Washington, D.C. 20515

Dear Congresswoman Black:

Thank you for your letter of July 24, 2013, regarding the proposed revisions to the U.S. Environmental Protection Agency's (EPA) underground storage tank regulations. Knowing that the majority of our regulated entities are small businesses, we agree it is important to recognize potential impacts to this sector. This was one of the main reasons why, when drafting the proposal, we made a concerted effort to propose provisions which would not require costly retrofits to existing underground storage tank (UST) systems, yet would help ensure protection of public health and the environment.

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Sincerely,

Mathy Stanislaus



WASHINGTON, D.C. 20460

NOV 2 5 2013

OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE

The Honorable Blaine Luetkemeyer U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Luetkemeyer:

Thank you for your letter of July 24, 2013, regarding the proposed revisions to the U.S. Environmental Protection Agency's (EPA) underground storage tank regulations. Knowing that the majority of our regulated entities are small businesses, we agree it is important to recognize potential impacts to this sector. This was one of the main reasons why, when drafting the proposal, we made a concerted effort to propose provisions which would not require costly retrofits to existing underground storage tank (UST) systems, yet would help ensure protection of public health and the environment.

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response to the January 2009 email, the EPA narrowed the list of potential changes to the UST regulations. In June 2009, the EPA emailed the narrowed list to stakeholders. We invited stakeholders to submit their thoughts to us and to let us know if they would like to set up a phone call to discuss any of the issues. The EPA met with all industry representatives who asked to do so. Before, during, and since the end of the rulemaking comment period, we have held more than 100 meetings with stakeholders. From the list that the EPA developed through extensive stakeholder input, we drafted the proposal. In addition to meeting with all interested stakeholders, the EPA worked with the Small Business Administration's Office of Advocacy (SBA) before the proposal was published as well as during the public comment period. Following the EPA's rulemaking process, before publishing the proposal in the federal register, all other federal agencies were given an opportunity to review and comment on the proposal. SBA was an integral part of this process. In addition, we worked with SBA during the public comment period. SBA brought to our attention that many small businesses were confused by the proposed changes to wastewater treatment tanks. The EPA and SBA worked together to develop explanatory materials on these UST systems to provide the clarity sought by small business.

In order to ensure that members of the public had an opportunity to comment on the proposal, the EPA extended the comment period from 90 to 150 days. The agency takes the comments we receive during regulatory comment periods very seriously. After receiving comments, the EPA worked diligently to understand industry's cost information comments so that we could thoroughly evaluate our cost analysis. The EPA appreciates the detailed response from commenters, and has fully considered the comments including the compliance costs submitted by industry representatives. We are currently working to determine the appropriate path forward using the comments we received to help inform our decision making. Some of the changes to the proposal that the EPA is considering would reduce the costs of the final rule. We share your concern about the potential burden on small businesses and are working to minimize the costs while we maintain appropriate public health and environmental protection.

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Sincerely,

Mathy Stanislaus

Assistant Administrator



WASHINGTON, D.C. 20460

NOV 2 5 2013

OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE

The Honorable Jim Matheson U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Matheson:

Thank you for your letter of July 24, 2013, regarding the proposed revisions to the U.S. Environmental Protection Agency's (EPA) underground storage tank regulations. Knowing that the majority of our regulated entities are small businesses, we agree it is important to recognize potential impacts to this sector. This was one of the main reasons why, when drafting the proposal, we made a concerted effort to propose provisions which would not require costly retrofits to existing underground storage tank (UST) systems, yet would help ensure protection of public health and the environment.

The EPA carefully evaluated the costs associated with the proposal and explained the agency's analysis in the regulatory impact assessment (RIA). Our analysis determined that the potential costs of the proposal did not reach a level that would require convening a Small Business Advocacy Review Panel. Although EPA did not convene a Panel, we sought extensive stakeholder input to help inform our rulemaking proposal.

Prior to the November 2011 proposal, the EPA engaged in a multi-year effort with stakeholders to identify appropriate updates and modifications to the UST regulations. Before the EPA started to draft regulatory language, the agency reached out to potentially affected parties to ask for their input on what changes to make to the UST regulations. Starting in March 2008, the EPA had conference calls, in person meetings, and shared emails with stakeholders. The EPA reached out to petroleum marketers and other owners and operators of UST systems, equipment manufacturers, vendors and service providers who work on the equipment, among others. Specifically, the EPA met with industry representatives of Petroleum Marketers Association of America (PMAA), American Petroleum Institute (API), National Association of Convenience Stores (NACS), SIGMA, National Association of Truckstop Owners (NATSO) and the Petroleum Transportation and Storage Association (PTSA). In addition to meeting with these stakeholders, the EPA also met with several individual marketing, equipment and service companies. The EPA held a series of in person meetings with these groups to gain their input on potential changes to the UST regulations. The feedback included information about field experience with UST system equipment, requests not to require extensive retrofits, and general support for a focus on operations and maintenance activities. These meetings were held March 17, 2008, April 17, 2008, June 18, 2008 and November 18, 2008.

The EPA documented a list of all of the ideas submitted by stakeholders during these meetings as well as through email. In January 2009, the EPA emailed this list of potential changes to the UST regulations to all stakeholders, and asked for their comments on the ideas. Based on all of the comments received in

response to the January 2009 email, the EPA narrowed the list of potential changes to the UST regulations. In June 2009, the EPA emailed the narrowed list to stakeholders. We invited stakeholders to submit their thoughts to us and to let us know if they would like to set up a phone call to discuss any of the issues. The EPA met with all industry representatives who asked to do so. Before, during, and since the end of the rulemaking comment period, we have held more than 100 meetings with stakeholders. From the list that the EPA developed through extensive stakeholder input, we drafted the proposal. In addition to meeting with all interested stakeholders, the EPA worked with the Small Business Administration's Office of Advocacy (SBA) before the proposal was published as well as during the public comment period. Following the EPA's rulemaking process, before publishing the proposal in the federal register, all other federal agencies were given an opportunity to review and comment on the proposal. SBA was an integral part of this process. In addition, we worked with SBA during the public comment period. SBA brought to our attention that many small businesses were confused by the proposed changes to wastewater treatment tanks. The EPA and SBA worked together to develop explanatory materials on these UST systems to provide the clarity sought by small business.

In order to ensure that members of the public had an opportunity to comment on the proposal, the EPA extended the comment period from 90 to 150 days. The agency takes the comments we receive during regulatory comment periods very seriously. After receiving comments, the EPA worked diligently to understand industry's cost information comments so that we could thoroughly evaluate our cost analysis. The EPA appreciates the detailed response from commenters, and has fully considered the comments including the compliance costs submitted by industry representatives. We are currently working to determine the appropriate path forward using the comments we received to help inform our decision making. Some of the changes to the proposal that the EPA is considering would reduce the costs of the final rule. We share your concern about the potential burden on small businesses and are working to minimize the costs while we maintain appropriate public health and environmental protection.

Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Raquel Snyder, in EPA's Office of Congressional and Intergovernmental Relations, at Snyder.Raquel@epa.gov or (202) 564-9586.

Sincerely,

Mathy Stanislaus

Assistant Administrator



WASHINGTON, D.C. 20460

OCT 2 9 2013

OFFICE OF AIR AND RADIATION

The Honorable Jim Matheson U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Matheson:

Thank you for your letter dated August 2, 2013, co-signed by 31 of your colleagues, expressing concerns that the Renewable Fuel Standard (RFS) volume obligations and the ethanol blendwall have led to increased prices of Renewable Identification Numbers (RINs). You requested that the U.S. Environmental Protection Agency address these concerns through the 2013 RFS rulemaking process The EPA Administrator recognizes the importance of this issue to you and your constituents and I have been asked to respond on the agency's behalf.

Compliance with the RFS program is demonstrated through the use of RINs – tradable credits that represent production of qualifying renewable fuel. In the final rule establishing the required RFS volumes for 2013, the EPA determined that there will be sufficient RINs available in the market to comply with the statutory volume requirements for advanced biofuel and total renewable fuel in 2013.

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In the 2013 RFS final action, the EPA also provided additional lead time to obligated parties by extending the date by which compliance with the 2013 standards must be demonstrated to June 30, 2014. The EPA chose this date because we anticipate issuing a final rule setting the RFS volume requirements for 2014 before that date. This should allow obligated parties to take their 2014 obligations into consideration as they determine how to utilize RINs for 2013 compliance. We believe that this addresses concerns that have been expressed about the short-term uncertainty in the market for RINs.

Sincerely,

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WASHINGTON, D.C. 20460

OCT 2 9 2013

OFFICE OF AIR AND RADIATION

The Honorable Patrick Meehan U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Meehan:

Thank you for your letter dated August 2, 2013, co-signed by 31 of your colleagues, expressing concerns that the Renewable Fuel Standard (RFS) volume obligations and the ethanol blendwall have led to increased prices of Renewable Identification Numbers (RINs). You requested that the U.S. Environmental Protection Agency address these concerns through the 2013 RFS rulemaking process The EPA Administrator recognizes the importance of this issue to you and your constituents and I have been asked to respond on the agency's behalf.

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Sincerely,

Janet G. McCabe

Acting Assistant Administrator

12 B. M.C.



WASHINGTON, D.C. 20460

OCT 2 9 2013

OFFICE OF AIR AND RADIATION

The Honorable John Barrow U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Barrow:

Thank you for your letter dated August 2, 2013, co-signed by 31 of your colleagues, expressing concerns that the Renewable Fuel Standard (RFS) volume obligations and the ethanol blendwall have led to increased prices of Renewable Identification Numbers (RINs). You requested that the U.S. Environmental Protection Agency address these concerns through the 2013 RFS rulemaking process The EPA Administrator recognizes the importance of this issue to you and your constituents and I have been asked to respond on the agency's behalf.

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Sincerely,

12 B. M.CL



WASHINGTON, D.C. 20460

OCT 2 9 2013

OFFICE OF AIR AND RADIATION

The Honorable Tom Graves U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Graves:

Thank you for your letter dated August 2, 2013, co-signed by 31 of your colleagues, expressing concerns that the Renewable Fuel Standard (RFS) volume obligations and the ethanol blendwall have led to increased prices of Renewable Identification Numbers (RINs). You requested that the U.S. Environmental Protection Agency address these concerns through the 2013 RFS rulemaking process The EPA Administrator recognizes the importance of this issue to you and your constituents and I have been asked to respond on the agency's behalf.

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Sincerely,

12 B. M.C.



WASHINGTON, D.C. 20460

OCT 2 9 2013

OFFICE OF AIR AND RADIATION

The Honorable Peter Welch U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Welch:

Thank you for your letter dated August 2, 2013, co-signed by 31 of your colleagues, expressing concerns that the Renewable Fuel Standard (RFS) volume obligations and the ethanol blendwall have led to increased prices of Renewable Identification Numbers (RINs). You requested that the U.S. Environmental Protection Agency address these concerns through the 2013 RFS rulemaking process The EPA Administrator recognizes the importance of this issue to you and your constituents and I have been asked to respond on the agency's behalf.

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Sincerely,

1-4 B. M.CL



WASHINGTON, D.C. 20460

OCT 2 9 2013

OFFICE OF AIR AND RADIATION

The Honorable Austin Scott U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Scott:

Thank you for your letter dated August 2, 2013, co-signed by 31 of your colleagues, expressing concerns that the Renewable Fuel Standard (RFS) volume obligations and the ethanol blendwall have led to increased prices of Renewable Identification Numbers (RINs). You requested that the U.S. Environmental Protection Agency address these concerns through the 2013 RFS rulemaking process The EPA Administrator recognizes the importance of this issue to you and your constituents and I have been asked to respond on the agency's behalf.

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Sincerely,

Janet G. McCabe Acting Assistant Administrator

12 B. M.C.



WASHINGTON, D.C. 20460

OCT 2 9 2013

OFFICE OF AIR AND RADIATION

The Honorable Leonard Lance U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Lance:

Thank you for your letter dated August 2, 2013, co-signed by 31 of your colleagues, expressing concerns that the Renewable Fuel Standard (RFS) volume obligations and the ethanol blendwall have led to increased prices of Renewable Identification Numbers (RINs). You requested that the U.S. Environmental Protection Agency address these concerns through the 2013 RFS rulemaking process The EPA Administrator recognizes the importance of this issue to you and your constituents and I have been asked to respond on the agency's behalf.

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Sincerely,

12 B. M.C.



WASHINGTON, D.C. 20460

OCT 2 9 2013

OFFICE OF AIR AND RADIATION

The Honorable Jim Costa U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Costa:

Thank you for your letter dated August 2, 2013, co-signed by 31 of your colleagues, expressing concerns that the Renewable Fuel Standard (RFS) volume obligations and the ethanol blendwall have led to increased prices of Renewable Identification Numbers (RINs). You requested that the U.S. Environmental Protection Agency address these concerns through the 2013 RFS rulemaking process The EPA Administrator recognizes the importance of this issue to you and your constituents and I have been asked to respond on the agency's behalf.

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Sincerely,

12 B. M.C.



WASHINGTON, D.C. 20460

OCT 2 9 2013

OFFICE OF AIR AND RADIATION

The Honorable Robert Woodall U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Woodall:

Thank you for your letter dated August 2, 2013, co-signed by 31 of your colleagues, expressing concerns that the Renewable Fuel Standard (RFS) volume obligations and the ethanol blendwall have led to increased prices of Renewable Identification Numbers (RINs). You requested that the U.S. Environmental Protection Agency address these concerns through the 2013 RFS rulemaking process The EPA Administrator recognizes the importance of this issue to you and your constituents and I have been asked to respond on the agency's behalf.

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Sincerely,

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WASHINGTON, D.C. 20460

OCT 2 9 2013

OFFICE OF AIR AND RADIATION

The Honorable Jack Kingston U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Kingston:

Thank you for your letter dated August 2, 2013, co-signed by 31 of your colleagues, expressing concerns that the Renewable Fuel Standard (RFS) volume obligations and the ethanol blendwall have led to increased prices of Renewable Identification Numbers (RINs). You requested that the U.S. Environmental Protection Agency address these concerns through the 2013 RFS rulemaking process The EPA Administrator recognizes the importance of this issue to you and your constituents and I have been asked to respond on the agency's behalf.

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Sincerely,

12 B. M.CL



WASHINGTON, D.C. 20460

OCT 2 9 2013

OFFICE OF AIR AND RADIATION

The Honorable David Scott U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Scott:

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Sincerely,

12 B. M.CL



WASHINGTON, D.C. 20460

OCT 2 9 2013

OFFICE OF AIR AND RADIATION

The Honorable Charles W. Dent U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Dent:

Thank you for your letter dated August 2, 2013, co-signed by 31 of your colleagues, expressing concerns that the Renewable Fuel Standard (RFS) volume obligations and the ethanol blendwall have led to increased prices of Renewable Identification Numbers (RINs). You requested that the U.S. Environmental Protection Agency address these concerns through the 2013 RFS rulemaking process The EPA Administrator recognizes the importance of this issue to you and your constituents and I have been asked to respond on the agency's behalf.

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12 B. M.CL



WASHINGTON, D.C. 20460

OCT 2 9 2013

OFFICE OF AIR AND RADIATION

The Honorable Renee Ellmers U.S. House of Representatives Washington, D.C. 20515

Dear Congresswoman Ellmers:

Thank you for your letter dated August 2, 2013, co-signed by 31 of your colleagues, expressing concerns that the Renewable Fuel Standard (RFS) volume obligations and the ethanol blendwall have led to increased prices of Renewable Identification Numbers (RINs). You requested that the U.S. Environmental Protection Agency address these concerns through the 2013 RFS rulemaking process The EPA Administrator recognizes the importance of this issue to you and your constituents and I have been asked to respond on the agency's behalf.

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1-4 B. M.CL



WASHINGTON, D.C. 20460

OFFICE OF AIR AND RADIATION

OCT 2 9 2013

The Honorable Bill Owens U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Owens:

Thank you for your letter dated August 2, 2013, co-signed by 31 of your colleagues, expressing concerns that the Renewable Fuel Standard (RFS) volume obligations and the ethanol blendwall have led to increased prices of Renewable Identification Numbers (RINs). You requested that the U.S. Environmental Protection Agency address these concerns through the 2013 RFS rulemaking process The EPA Administrator recognizes the importance of this issue to you and your constituents and I have been asked to respond on the agency's behalf.

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12P.P.CL



WASHINGTON, D.C. 20460

OCT 2 9 2013

OFFICE OF AIR AND RADIATION

The Honorable Markwayne Mullin U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Mullin:

Thank you for your letter dated August 2, 2013, co-signed by 31 of your colleagues, expressing concerns that the Renewable Fuel Standard (RFS) volume obligations and the ethanol blendwall have led to increased prices of Renewable Identification Numbers (RINs). You requested that the U.S. Environmental Protection Agency address these concerns through the 2013 RFS rulemaking process The EPA Administrator recognizes the importance of this issue to you and your constituents and I have been asked to respond on the agency's behalf.

Compliance with the RFS program is demonstrated through the use of RINs – tradable credits that represent production of qualifying renewable fuel. In the final rule establishing the required RFS volumes for 2013, the EPA determined that there will be sufficient RINs available in the market to comply with the statutory volume requirements for advanced biofuel and total renewable fuel in 2013.

However, a number of obligated parties and other stakeholders have communicated their concerns to the EPA about constraints on the ability to consume ethanol in excess of the level at which the fuel supply is all or nearly all E10 – commonly referred to as the ethanol "blendwall" – and they indicated that compliance with the 2014 statutory volume requirements is expected to be difficult. As the EPA stated in the final rule for 2013, we plan to address this issue by proposing adjustments to the 2014 volume requirements, including to both the advanced biofuel and total renewable fuel categories. The EPA is in the process of completing the 2014 proposal now and we understand the importance of proposing this rule quickly.

In the 2013 RFS final action, the EPA also provided additional lead time to obligated parties by extending the date by which compliance with the 2013 standards must be demonstrated to June 30, 2014. The EPA chose this date because we anticipate issuing a final rule setting the RFS volume requirements for 2014 before that date. This should allow obligated parties to take their 2014 obligations into consideration as they determine how to utilize RINs for 2013 compliance. We believe that this addresses concerns that have been expressed about the short-term uncertainty in the market for RINs.

Sincerely,

12 B. M.CL



WASHINGTON, D.C. 20460

OCT 2 9 2013

OFFICE OF AIR AND RADIATION

The Honorable Bob Goodlatte U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Goodlatte:

Thank you for your letter dated August 2, 2013, co-signed by 31 of your colleagues, expressing concerns that the Renewable Fuel Standard (RFS) volume obligations and the ethanol blendwall have led to increased prices of Renewable Identification Numbers (RINs). You requested that the U.S. Environmental Protection Agency address these concerns through the 2013 RFS rulemaking process The EPA Administrator recognizes the importance of this issue to you and your constituents and I have been asked to respond on the agency's behalf.

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Sincerely,

Janet G. McCabe

Acting Assistant Administrator

12 B. Mal



WASHINGTON, D.C. 20460

OCT 2 9 2013

OFFICE OF AIR AND RADIATION

The Honorable Joseph R. Pitts U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Pitts:

Thank you for your letter dated August 2, 2013, co-signed by 31 of your colleagues, expressing concerns that the Renewable Fuel Standard (RFS) volume obligations and the ethanol blendwall have led to increased prices of Renewable Identification Numbers (RINs). You requested that the U.S. Environmental Protection Agency address these concerns through the 2013 RFS rulemaking process The EPA Administrator recognizes the importance of this issue to you and your constituents and I have been asked to respond on the agency's behalf.

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Sincerely,

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WASHINGTON, D.C. 20460

OCT 2 9 2013

OFFICE OF AIR AND RADIATION

The Honorable Robert A. Brady U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Brady:

Thank you for your letter dated August 2, 2013, co-signed by 31 of your colleagues, expressing concerns that the Renewable Fuel Standard (RFS) volume obligations and the ethanol blendwall have led to increased prices of Renewable Identification Numbers (RINs). You requested that the U.S. Environmental Protection Agency address these concerns through the 2013 RFS rulemaking process The EPA Administrator recognizes the importance of this issue to you and your constituents and I have been asked to respond on the agency's behalf.

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Sincerely,

Janet G. McCabe

Acting Assistant Administrator

12 B. M.CL



WASHINGTON, D.C. 20460

OCT 2 9 2013

OFFICE OF AIR AND RADIATION

The Honorable Billy Long U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Long:

Thank you for your letter dated August 2, 2013, co-signed by 31 of your colleagues, expressing concerns that the Renewable Fuel Standard (RFS) volume obligations and the ethanol blendwall have led to increased prices of Renewable Identification Numbers (RINs). You requested that the U.S. Environmental Protection Agency address these concerns through the 2013 RFS rulemaking process The EPA Administrator recognizes the importance of this issue to you and your constituents and I have been asked to respond on the agency's behalf.

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Sincerely,

Janet G. McCabe

Acting Assistant Administrator

12 B. Mach



WASHINGTON, D.C. 20460

OCT 2 9 2013

OFFICE OF AIR AND RADIATION

The Honorable Tom Cole U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Cole:

Thank you for your letter dated August 2, 2013, co-signed by 31 of your colleagues, expressing concerns that the Renewable Fuel Standard (RFS) volume obligations and the ethanol blendwall have led to increased prices of Renewable Identification Numbers (RINs). You requested that the U.S. Environmental Protection Agency address these concerns through the 2013 RFS rulemaking process The EPA Administrator recognizes the importance of this issue to you and your constituents and I have been asked to respond on the agency's behalf.

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Sincerely,

12 B. M.CL



WASHINGTON, D.C. 20460

OCT 2 9 2013

OFFICE OF AIR AND RADIATION

The Honorable Lynn A. Westmoreland U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Westmoreland:

Thank you for your letter dated August 2, 2013, co-signed by 31 of your colleagues, expressing concerns that the Renewable Fuel Standard (RFS) volume obligations and the ethanol blendwall have led to increased prices of Renewable Identification Numbers (RINs). You requested that the U.S. Environmental Protection Agency address these concerns through the 2013 RFS rulemaking process The EPA Administrator recognizes the importance of this issue to you and your constituents and I have been asked to respond on the agency's behalf.

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Sincerely,

12 B. M.CL



WASHINGTON, D.C. 20460

OCT 2 9 2013

OFFICE OF AIR AND RADIATION

The Honorable Chris Stewart U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Stewart:

Thank you for your letter dated August 2, 2013, co-signed by 31 of your colleagues, expressing concerns that the Renewable Fuel Standard (RFS) volume obligations and the ethanol blendwall have led to increased prices of Renewable Identification Numbers (RINs). You requested that the U.S. Environmental Protection Agency address these concerns through the 2013 RFS rulemaking process The EPA Administrator recognizes the importance of this issue to you and your constituents and I have been asked to respond on the agency's behalf.

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Sincerely,

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WASHINGTON, D.C. 20460

OCT 2 9 2013

OFFICE OF AIR AND RADIATION

The Honorable Jason Chaffetz U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Chaffetz:

Thank you for your letter dated August 2, 2013, co-signed by 31 of your colleagues, expressing concerns that the Renewable Fuel Standard (RFS) volume obligations and the ethanol blendwall have led to increased prices of Renewable Identification Numbers (RINs). You requested that the U.S. Environmental Protection Agency address these concerns through the 2013 RFS rulemaking process The EPA Administrator recognizes the importance of this issue to you and your constituents and I have been asked to respond on the agency's behalf.

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Sincerely,

12 B. Mall



WASHINGTON, D.C. 20460

OCT 2 9 2013

OFFICE OF AIR AND RADIATION

The Honorable Phil Gingrey U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Gingrey:

Thank you for your letter dated August 2, 2013, co-signed by 31 of your colleagues, expressing concerns that the Renewable Fuel Standard (RFS) volume obligations and the ethanol blendwall have led to increased prices of Renewable Identification Numbers (RINs). You requested that the U.S. Environmental Protection Agency address these concerns through the 2013 RFS rulemaking process The EPA Administrator recognizes the importance of this issue to you and your constituents and I have been asked to respond on the agency's behalf.

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Sincerely,

12 B. M.CL



WASHINGTON, D.C. 20460

OCT 2 9 2013

OFFICE OF AIR AND RADIATION

The Honorable Robert Bishop U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Bishop:

Thank you for your letter dated August 2, 2013, co-signed by 31 of your colleagues, expressing concerns that the Renewable Fuel Standard (RFS) volume obligations and the ethanol blendwall have led to increased prices of Renewable Identification Numbers (RINs). You requested that the U.S. Environmental Protection Agency address these concerns through the 2013 RFS rulemaking process The EPA Administrator recognizes the importance of this issue to you and your constituents and I have been asked to respond on the agency's behalf.

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Sincerely,

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WASHINGTON, D.C. 20460

OCT 2 9 2013

OFFICE OF AIR AND RADIATION

The Honorable Sanford D. Bishop U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Bishop:

Thank you for your letter dated August 2, 2013, co-signed by 31 of your colleagues, expressing concerns that the Renewable Fuel Standard (RFS) volume obligations and the ethanol blendwall have led to increased prices of Renewable Identification Numbers (RINs). You requested that the U.S. Environmental Protection Agency address these concerns through the 2013 RFS rulemaking process The EPA Administrator recognizes the importance of this issue to you and your constituents and I have been asked to respond on the agency's behalf.

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Sincerely,

12 B. M.C.



WASHINGTON, D.C. 20460

OCT 2 9 2013

OFFICE OF AIR AND RADIATION

The Honorable Steve Chabot U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Chabot:

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Sincerely,

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WASHINGTON, D.C. 20460

OFFICE OF AIR AND RADIATION

OCT 2 9 2013

The Honorable Doug Collins U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Collins:

Thank you for your letter dated August 2, 2013, co-signed by 31 of your colleagues, expressing concerns that the Renewable Fuel Standard (RFS) volume obligations and the ethanol blendwall have led to increased prices of Renewable Identification Numbers (RINs). You requested that the U.S. Environmental Protection Agency address these concerns through the 2013 RFS rulemaking process The EPA Administrator recognizes the importance of this issue to you and your constituents and I have been asked to respond on the agency's behalf.

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WASHINGTON, D.C. 20460

OCT 2 9 2013

OFFICE OF AIR AND RADIATION

The Honorable Pete Olson U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Olson:

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WASHINGTON, D.C. 20460

OFFICE OF AIR AND RADIATION

OCT 2 9 2013

The Honorable Mike D. Rogers U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Rogers:

Thank you for your letter dated August 2, 2013, co-signed by 31 of your colleagues, expressing concerns that the Renewable Fuel Standard (RFS) volume obligations and the ethanol blendwall have led to increased prices of Renewable Identification Numbers (RINs). You requested that the U.S. Environmental Protection Agency address these concerns through the 2013 RFS rulemaking process The EPA Administrator recognizes the importance of this issue to you and your constituents and I have been asked to respond on the agency's behalf.

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WASHINGTON, D.C. 20460

OCT 2 9 2013

OFFICE OF AIR AND RADIATION

The Honorable Mike McIntyre U.S. House of Representatives Washington, D.C. 20515

Dear Congressman McIntyre:

Thank you for your letter dated August 2, 2013, co-signed by 31 of your colleagues, expressing concerns that the Renewable Fuel Standard (RFS) volume obligations and the ethanol blendwall have led to increased prices of Renewable Identification Numbers (RINs). You requested that the U.S. Environmental Protection Agency address these concerns through the 2013 RFS rulemaking process The EPA Administrator recognizes the importance of this issue to you and your constituents and I have been asked to respond on the agency's behalf.

Compliance with the RFS program is demonstrated through the use of RINs – tradable credits that represent production of qualifying renewable fuel. In the final rule establishing the required RFS volumes for 2013, the EPA determined that there will be sufficient RINs available in the market to comply with the statutory volume requirements for advanced biofuel and total renewable fuel in 2013.

However, a number of obligated parties and other stakeholders have communicated their concerns to the EPA about constraints on the ability to consume ethanol in excess of the level at which the fuel supply is all or nearly all E10 – commonly referred to as the ethanol "blendwall" – and they indicated that compliance with the 2014 statutory volume requirements is expected to be difficult. As the EPA stated in the final rule for 2013, we plan to address this issue by proposing adjustments to the 2014 volume requirements, including to both the advanced biofuel and total renewable fuel categories. The EPA is in the process of completing the 2014 proposal now and we understand the importance of proposing this rule quickly.

In the 2013 RFS final action, the EPA also provided additional lead time to obligated parties by extending the date by which compliance with the 2013 standards must be demonstrated to June 30, 2014. The EPA chose this date because we anticipate issuing a final rule setting the RFS volume requirements for 2014 before that date. This should allow obligated parties to take their 2014 obligations into consideration as they determine how to utilize RINs for 2013 compliance. We believe that this addresses concerns that have been expressed about the short-term uncertainty in the market for RINs.

Sincerely,

Janet G. McCabe

Acting Assistant Administrator

1.0 C. M.C.



WASHINGTON, D.C. 20460

OCT 2 9 2013

OFFICE OF AIR AND RADIATION

The Honorable Dennis Ross U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Ross:

Thank you for your letter dated August 2, 2013, co-signed by 31 of your colleagues, expressing concerns that the Renewable Fuel Standard (RFS) volume obligations and the ethanol blendwall have led to increased prices of Renewable Identification Numbers (RINs). You requested that the U.S. Environmental Protection Agency address these concerns through the 2013 RFS rulemaking process The EPA Administrator recognizes the importance of this issue to you and your constituents and I have been asked to respond on the agency's behalf.

Compliance with the RFS program is demonstrated through the use of RINs – tradable credits that represent production of qualifying renewable fuel. In the final rule establishing the required RFS volumes for 2013, the EPA determined that there will be sufficient RINs available in the market to comply with the statutory volume requirements for advanced biofuel and total renewable fuel in 2013.

However, a number of obligated parties and other stakeholders have communicated their concerns to the EPA about constraints on the ability to consume ethanol in excess of the level at which the fuel supply is all or nearly all E10 – commonly referred to as the ethanol "blendwall" – and they indicated that compliance with the 2014 statutory volume requirements is expected to be difficult. As the EPA stated in the final rule for 2013, we plan to address this issue by proposing adjustments to the 2014 volume requirements, including to both the advanced biofuel and total renewable fuel categories. The EPA is in the process of completing the 2014 proposal now and we understand the importance of proposing this rule quickly.

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Sincerely,

Janet G. McCabe

Acting Assistant Administrator

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WASHINGTON, D.C. 20460

JAN 1 6 2014

OFFICE OF AIR AND RADIATION

The Honorable David McKinley U.S. House of Representatives Washington, D.C. 20515

Dear Congressman McKinley:

Thank you for your letter of October 23, 2013, co-signed by 38 of your colleagues, to U.S. Environmental Protection Agency Administrator Gina McCarthy requesting that the EPA hold listening sessions in rural areas across the United States on reducing carbon pollution from existing power plants. The Administrator has asked that I respond on her behalf.

The EPA is working diligently to address carbon pollution from power plants. In June 2013, President Obama called on agencies across the federal government, including the EPA, to take action to cut carbon pollution to protect our country from the impacts of climate change, and to lead the world in this effort. His call included a directive for the EPA "to work expeditiously to complete carbon pollution standards for both new and existing power plants." Currently, there are no federal standards in place to reduce carbon pollution from the country's largest source. The President also directed the EPA to work with states, as they will play a central role in establishing and implementing standards for existing power plants, and, at the same time, with leaders in the power sector, labor leaders, non-governmental organizations, other experts, tribal officials, other stakeholders, and members of the public, on issues informing the design of carbon pollution standards for power plants.

As we consider guidelines for existing power plants, the EPA is engaged in vigorous and unprecedented outreach with the public, key stakeholders, and the states, including your state. The eleven listening sessions the EPA held throughout the country were attended by thousands of people, representing many states and a broad range of stakeholders, including many from rural areas. In addition, the EPA leadership and senior staff, in Washington, D.C. and in every one of our ten regional offices, have been meeting with industry leaders and CEOs from the coal, oil, and natural gas sectors; state, tribal, and local government officials from every region of the country, including your state; and environmental and public health groups, faith groups, labor groups, and others. Our meetings with state governments have encompassed leadership and staff from state environment departments, state energy departments and state public utility commissions. We are doing this because we want—and need—all available information about what is important to each state and stakeholder. We know that guidelines require flexibility and sensitivity to state and regional differences.

To this end, we welcome feedback and ideas from you as well as your constituents about how the EPA should develop and implement carbon pollution guidelines for existing power plants under the Clean Air Act. Interested stakeholders can send their thoughts through email at carbonpollutioninput@epa.gov. Stakeholders can also learn more about what we are doing at www.epa.gov/carbonpollutionstandard. I welcome you to provide a link to our website from yours, and to share any other information about the EPA's public engagement activities with the citizens of your state.

Please note that the public meetings we've been holding to date and other outreach efforts are happening well before we propose guidelines. When we issue the draft guidelines in June 2014, a more formal public comment period will follow, as with all rules, and more opportunities for public hearings and stakeholder outreach and engagement. I look forward to hearing what you think about the draft guidelines at that time, too.

Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Josh Lewis in the EPA's Office of Congressional and Intergovernmental Relations at lewis.josh@epa.gov or (202) 564-2095.

Sincerely,

Janet G. McCabe

Acting Assistant Administrator

12 B. Till



WASHINGTON, D.C. 20460

JAN 1 6 2014

OFFICE OF AIR AND RADIATION

The Honorable Shelley Capito U.S. House of Representatives Washington, D.C. 20515

Dear Congresswoman Capito:

Thank you for your letter of October 23, 2013, co-signed by 38 of your colleagues, to U.S. Environmental Protection Agency Administrator Gina McCarthy requesting that the EPA hold listening sessions in rural areas across the United States on reducing carbon pollution from existing power plants. The Administrator has asked that I respond on her behalf.

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Sincerely,

Janet G. McCabe

Acting Assistant Administrator

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WASHINGTON, D.C. 20460

JAN 1 6 2014

OFFICE OF AIR AND RADIATION

The Honorable Lynn Westmoreland U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Westmoreland:

Thank you for your letter of October 23, 2013, co-signed by 38 of your colleagues, to U.S. Environmental Protection Agency Administrator Gina McCarthy requesting that the EPA hold listening sessions in rural areas across the United States on reducing carbon pollution from existing power plants. The Administrator has asked that I respond on her behalf.

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Sincerely,

Janet G. McCabe

Acting Assistant Administrator

12 B. M.C.



WASHINGTON, D.C. 20460

JAN 1 6 2014

OFFICE OF AIR AND RADIATION

The Honorable Robert Aderholt U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Aderholt:

Thank you for your letter of October 23, 2013, co-signed by 38 of your colleagues, to U.S. Environmental Protection Agency Administrator Gina McCarthy requesting that the EPA hold listening sessions in rural areas across the United States on reducing carbon pollution from existing power plants. The Administrator has asked that I respond on her behalf.

The EPA is working diligently to address carbon pollution from power plants. In June 2013, President Obama called on agencies across the federal government, including the EPA, to take action to cut carbon pollution to protect our country from the impacts of climate change, and to lead the world in this effort. His call included a directive for the EPA "to work expeditiously to complete carbon pollution standards for both new and existing power plants." Currently, there are no federal standards in place to reduce carbon pollution from the country's largest source. The President also directed the EPA to work with states, as they will play a central role in establishing and implementing standards for existing power plants, and, at the same time, with leaders in the power sector, labor leaders, non-governmental organizations, other experts, tribal officials, other stakeholders, and members of the public, on issues informing the design of carbon pollution standards for power plants.

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Sincerely,

Janet G. McCabe

Acting Assistant Administrator

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WASHINGTON, D.C. 20460

JAN 1 6 2014

OFFICE OF AIR AND RADIATION

The Honorable Steve Southerland U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Southerland:

Thank you for your letter of October 23, 2013, co-signed by 38 of your colleagues, to U.S. Environmental Protection Agency Administrator Gina McCarthy requesting that the EPA hold listening sessions in rural areas across the United States on reducing carbon pollution from existing power plants. The Administrator has asked that I respond on her behalf.

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Sincerely,

Janet G. McCabe

Acting Assistant Administrator

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WASHINGTON, D.C. 20460

JAN 1 6 2014

OFFICE OF AIR AND RADIATION

The Honorable Cory Gardner U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Gardner:

Thank you for your letter of October 23, 2013, co-signed by 38 of your colleagues, to U.S. Environmental Protection Agency Administrator Gina McCarthy requesting that the EPA hold listening sessions in rural areas across the United States on reducing carbon pollution from existing power plants. The Administrator has asked that I respond on her behalf.

The EPA is working diligently to address carbon pollution from power plants. In June 2013, President Obama called on agencies across the federal government, including the EPA, to take action to cut carbon pollution to protect our country from the impacts of climate change, and to lead the world in this effort. His call included a directive for the EPA "to work expeditiously to complete carbon pollution standards for both new and existing power plants." Currently, there are no federal standards in place to reduce carbon pollution from the country's largest source. The President also directed the EPA to work with states, as they will play a central role in establishing and implementing standards for existing power plants, and, at the same time, with leaders in the power sector, labor leaders, non-governmental organizations, other experts, tribal officials, other stakeholders, and members of the public, on issues informing the design of carbon pollution standards for power plants.

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Sincerely,

Janet G. McCabe

Acting Assistant Administrator

12 B. M.Cal



WASHINGTON, D.C. 20460

JAN 1 6 2014

OFFICE OF AIR AND RADIATION

The Honorable Rodney Davis U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Davis:

Thank you for your letter of October 23, 2013, co-signed by 38 of your colleagues, to U.S. Environmental Protection Agency Administrator Gina McCarthy requesting that the EPA hold listening sessions in rural areas across the United States on reducing carbon pollution from existing power plants. The Administrator has asked that I respond on her behalf.

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Sincerely,

Janet G. McCabe

Acting Assistant Administrator

12 B. M.Cal



WASHINGTON, D.C. 20460

JAN 1 6 2014

OFFICE OF AIR AND RADIATION

The Honorable Louie Gohmert U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Gohmert:

Thank you for your letter of October 23, 2013, co-signed by 38 of your colleagues, to U.S. Environmental Protection Agency Administrator Gina McCarthy requesting that the EPA hold listening sessions in rural areas across the United States on reducing carbon pollution from existing power plants. The Administrator has asked that I respond on her behalf.

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Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Josh Lewis in the EPA's Office of Congressional and Intergovernmental Relations at lewis.josh@epa.gov or (202) 564-2095.

Sincerely,

Janet G. McCabe

Acting Assistant Administrator

12 B. Male



WASHINGTON, D.C. 20460

JAN 1 6 2014

OFFICE OF AIR AND RADIATION

The Honorable Marsha Blackburn U.S. House of Representatives Washington, D.C. 20515

Dear Congresswoman Blackburn:

Thank you for your letter of October 23, 2013, co-signed by 38 of your colleagues, to U.S. Environmental Protection Agency Administrator Gina McCarthy requesting that the EPA hold listening sessions in rural areas across the United States on reducing carbon pollution from existing power plants. The Administrator has asked that I respond on her behalf.

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Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Josh Lewis in the EPA's Office of Congressional and Intergovernmental Relations at lewis.josh@epa.gov or (202) 564-2095.

Sincerely,

Janet G. McCabe

Acting Assistant Administrator

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

JAN 1 6 2014

OFFICE OF AIR AND RADIATION

The Honorable Tim Huelskamp U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Huelskamp:

Thank you for your letter of October 23, 2013, co-signed by 38 of your colleagues, to U.S. Environmental Protection Agency Administrator Gina McCarthy requesting that the EPA hold listening sessions in rural areas across the United States on reducing carbon pollution from existing power plants. The Administrator has asked that I respond on her behalf.

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Sincerely,

Janet G. McCabe

Acting Assistant Administrator

12 B. Miles



WASHINGTON, D.C. 20460

JAN 1 6 2014

OFFICE OF AIR AND RADIATION

The Honorable Bill Johnson U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Johnson:

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Sincerely,

Janet G. McCabe

Acting Assistant Administrator

1.0 B. Male



WASHINGTON, D.C. 20460

JAN 1 6 2014

OFFICE OF AIR AND RADIATION

The Honorable Michael Turner U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Turner:

Thank you for your letter of October 23, 2013, co-signed by 38 of your colleagues, to U.S. Environmental Protection Agency Administrator Gina McCarthy requesting that the EPA hold listening sessions in rural areas across the United States on reducing carbon pollution from existing power plants. The Administrator has asked that I respond on her behalf.

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Sincerely,

Janet G. McCabe

Acting Assistant Administrator

12 B. Mile



WASHINGTON, D.C. 20460

JAN 1 6 2014

OFFICE OF AIR AND RADIATION

The Honorable Kevin Brady U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Brady:

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Sincerely,

Janet G. McCabe

Acting Assistant Administrator

12 B. Male



WASHINGTON, D.C. 20460

JAN 1 6 2014

OFFICE OF AIR AND RADIATION

The Honorable Steve King U.S. House of Representatives Washington, D.C. 20515

Dear Congressman King:

Thank you for your letter of October 23, 2013, co-signed by 38 of your colleagues, to U.S. Environmental Protection Agency Administrator Gina McCarthy requesting that the EPA hold listening sessions in rural areas across the United States on reducing carbon pollution from existing power plants. The Administrator has asked that I respond on her behalf.

The EPA is working diligently to address carbon pollution from power plants. In June 2013, President Obama called on agencies across the federal government, including the EPA, to take action to cut carbon pollution to protect our country from the impacts of climate change, and to lead the world in this effort. His call included a directive for the EPA "to work expeditiously to complete carbon pollution standards for both new and existing power plants." Currently, there are no federal standards in place to reduce carbon pollution from the country's largest source. The President also directed the EPA to work with states, as they will play a central role in establishing and implementing standards for existing power plants, and, at the same time, with leaders in the power sector, labor leaders, non-governmental organizations, other experts, tribal officials, other stakeholders, and members of the public, on issues informing the design of carbon pollution standards for power plants.

Please note that the public meetings we've been holding to date and other outreach efforts are happening well before we propose guidelines. When we issue the draft guidelines in June 2014, a more formal public comment period will follow, as with all rules, and more opportunities for public hearings and stakeholder outreach and engagement. I look forward to hearing what you think about the draft guidelines at that time, too.

Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Josh Lewis in the EPA's Office of Congressional and Intergovernmental Relations at lewis.josh@epa.gov or (202) 564-2095.

Sincerely,

Janet G. McCabe

12 B. Malel

Acting Assistant Administrator



WASHINGTON, D.C. 20460

JAN 1 6 2016

OFFICE OF AIR AND RADIATION

The Honorable Joe Barton U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Barton:

Thank you for your letter of October 23, 2013, co-signed by 38 of your colleagues, to U.S. Environmental Protection Agency Administrator Gina McCarthy requesting that the EPA hold listening sessions in rural areas across the United States on reducing carbon pollution from existing power plants. The Administrator has asked that I respond on her behalf.

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Sincerely,

Janet G. McCabe

Acting Assistant Administrator

12 B. M.C.



WASHINGTON, D.C. 20460

JAN 1 6 2014

OFFICE OF AIR AND RADIATION

The Honorable Todd Young U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Young:

Thank you for your letter of October 23, 2013, co-signed by 38 of your colleagues, to U.S. Environmental Protection Agency Administrator Gina McCarthy requesting that the EPA hold listening sessions in rural areas across the United States on reducing carbon pollution from existing power plants. The Administrator has asked that I respond on her behalf.

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Sincerely,

Janet G. McCabe

Acting Assistant Administrator

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WASHINGTON, D.C. 20460

JAN 1 6 2014

OFFICE OF AIR AND RADIATION

The Honorable Ted Yoho U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Yoho:

Thank you for your letter of October 23, 2013, co-signed by 38 of your colleagues, to U.S. Environmental Protection Agency Administrator Gina McCarthy requesting that the EPA hold listening sessions in rural areas across the United States on reducing carbon pollution from existing power plants. The Administrator has asked that I respond on her behalf.

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Sincerely,

Janet G. McCabe

Acting Assistant Administrator

J& B. Malel



WASHINGTON, D.C. 20460

JAN 16 2014

OFFICE OF AIR AND RADIATION

The Honorable Jeff Miller U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Miller:

Thank you for your letter of October 23, 2013, co-signed by 38 of your colleagues, to U.S. Environmental Protection Agency Administrator Gina McCarthy requesting that the EPA hold listening sessions in rural areas across the United States on reducing carbon pollution from existing power plants. The Administrator has asked that I respond on her behalf.

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Sincerely,

Janet G. McCabe

Acting Assistant Administrator

1.0 B. M.C.



WASHINGTON, D.C. 20460

JAN 1 6 2014

OFFICE OF AIR AND RADIATION

The Honorable Steve Stivers U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Stivers:

Thank you for your letter of October 23, 2013, co-signed by 38 of your colleagues, to U.S. Environmental Protection Agency Administrator Gina McCarthy requesting that the EPA hold listening sessions in rural areas across the United States on reducing carbon pollution from existing power plants. The Administrator has asked that I respond on her behalf.

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